

**CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT DISTRICT**

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

**CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS MEETING
FEBRUARY 19, 2014**

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT AGENDA February 19, 2014 at 3:30 p.m.

Located at the office of Rizzetta & Company, Inc., located at 9530 Marketplace Road, Suite 206,
Fort Myers, FL 33912

District Board of Supervisors	J. Keith Sherman John Kirkbride Floyd "Butch" Johnston James Ratz Jonathan Pentecost	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
District Manager	Molly Syvret	Rizzetta & Company, Inc.
District Counsel	Jere Earlywine	Hopping Green & Sams, P.A.
District Engineer	Carl Barraco	Barraco & Associates, Inc.

All Cellular phones and pagers must be turned off while in the meeting room.

The District Agenda is comprised of five different sections:

The meeting will begin promptly at **3:30 p.m.** with the first section which is called **Audience Comments**. The Audience Comment portion of the agenda is where individuals may comment on matters for which the Board may be taking action or that may otherwise concern the District. Each individual is limited to three **(3) minutes** for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. **IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING.** The second section is called **Business Administration**. The Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The third section is called **Business Items**. The business items section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. The fourth section is called **Staff Reports**. This section allows the District Manager, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The final section is called **Supervisor Requests and Comments**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs. Agendas can be reviewed by contacting the Manager's office at (239) 936-0913 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (239) 936-0913, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT
DISTRICT OFFICE • 9530 MARKETPLACE ROAD, SUITE 206 • FORT MYERS, FL 33912

February 11, 2014

Board of Supervisors
Catalina at Winkler Preserve
Community Development District

AGENDA

Dear Board Members:

The regular meeting of the Board of Supervisors of Catalina at Winkler Preserve Community Development District will be held on **Wednesday, February 19, 2014 at 3:30 p.m.** at the office of Rizzetta & Company, Inc., located at 9530 Marketplace Road, Suite 206, Fort Myers, FL 33912. The following is the advance agenda for this meeting.

1. **CALL TO ORDER/ROLL CALL**
2. **AUDIENCE COMMENTS**
3. **BUSINESS ADMINISTRATION**
 - A. Consideration of the Minutes of the Board of Supervisor's Meeting held on August 21, 2013 Tab 1
 - B. Consideration of the Operation and Maintenance Expenditures For the Months of August, September, October, November, and December 2013 and January 2014 Tab 2
4. **BUSINESS ITEMS**
 - A. Discussion Regarding Pool Cage/Deck Variance Requests Concerning Lot 68
 - B. Consideration of Resolution 2014-01, Resetting the Public Hearing Related to the Rules of Procedure Tab 3
 - C. Public Hearing Related to Rules of Procedure..... Tab 4
 1. Consideration of Resolution 2014-02, Adopting Rules of Procedure of the District..... Tab 5
 - D. Discussion Regarding Lake Bank Repairs/Restoration
5. **STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 - C. District Manager
6. **SUPERVISOR REQUESTS AND COMMENTS**
7. **ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (239) 936-0913.

Very truly yours,



Molly Syvret
District Manager

cc: Jere Earlywine, Hopping Green & Sams, PA
Charles Bowen, Hopping Green & Sams, PA

Tab 1

MINUTES OF MEETING

**CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of Catalina at Winkler Preserve Community Development District was held on **Wednesday, August 21, 2013 at 3:37 p.m.** at the office of Rizzetta & Company, Inc., 9530 Marketplace Road, Suite 206, Fort Myers, FL 33912.

Present and constituting a quorum:

Keith Sherman	Board Supervisor, Chairman
John Kirkbride	Board Supervisor, Vice Chairman
Butch Johnston	Board Supervisor, Assistant Secretary (via speaker phone)
James Ratz	Board Supervisor, Assistant Secretary

Also present were:

Molly Syvret	District Manager, Rizzetta & Company, Inc.
Chuck Bowen	District Counsel, Hopping Green & Sams, P.A. (via speaker phone)
Jere Earlywine	District Counsel, Hopping Green & Sams, P.A. (via speaker phone)
Carl Barraco	District Engineer, Barraco & Associates, Inc.
Audience	

FIRST ORDER OF BUSINESS

Call to Order

Ms. Syvret called the meeting to order and conducted roll call.

SECOND ORDER OF BUSINESS

**Consideration of the Minutes of the
Board of Supervisors' Meeting held on
May 15, 2013**

Ms. Syvret presented the minutes of the Board of Supervisors' Meeting held on May 15, 2013. She asked if there were any revisions to the minutes. There were none.

On a Motion by Mr. Sherman, seconded by Mr. Johnston, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on May 15, 2013, for the Catalina at Winkler Preserve Community Development District.

THIRD ORDER OF BUSINESS

**Consideration of the Operation and
Maintenance Expenditures for the
Months of May, June, and July 2013**

Ms. Syvret stated the next item on the agenda was consideration of the Operation and Maintenance Expenditures for May 2013 (\$8,631.54), June 2013 (\$5,257.94), and July 2013 (\$16,991.08). She asked if there were any questions related to the operations and maintenance expenditures as presented. Discussion ensued.

On a Motion by Mr. Kirkbride, seconded by Mr. Sherman, with all in favor, the Board approved the Operation and Maintenance Expenditures for the months of May, June, and July 2013, for the Catalina at Winkler Preserve Community Development District.

FOURTH ORDER OF BUSINESS

**Consideration of Barraco and Associates,
Inc. Contract Addendum No. 2 Related to
NPDES MS4 Permit, Year 2 Annual
Report (Cycle 3)**

Mr. Barraco provided background of the NPDES MS4 permit, purpose, and reporting requirements.

Ms. Syvret noted that the expenses have been accounted for in the District Engineering line item for the upcoming year's budget.

On a Motion by Mr. Sherman, seconded by Mr. Kirkbride, with all in favor, the Board approved Contract Addendum No. 2 Related to NPDES MS4 Permit, Year 2 Annual Report (Cycle 3) as provided by Barraco and Associates, Inc. for the Catalina at Winkler Preserve Community Development District.

FIFTH ORDER OF BUSINESS

**Consideration of Audit for Fiscal Year
End September 30, 2012 as Prepared by
Grau & Associates**

Ms. Syvret provided an overview of the audit as prepared by Grau & Associates. Questions were entertained regarding depreciation of assets and deferred obligations due to developer. Discussion ensued.

On a Motion by Mr. Sherman, seconded by Mr. Johnston, with all in favor, the Board accepted the Audit for Fiscal Year end September 30, 2012, as Prepared by Grau & Associates, for the Catalina at Winkler Preserve Community Development District.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2013-05,
Designating Dates, Time and Location for
Regular Meetings of the Board of
Supervisors of the District for Fiscal Year
2013/2014**

Ms. Syvret provided an overview of the Resolution advising the schedule being presented is consistent with the current year meeting schedule. She asked if there were any questions. There were none.

On a Motion by Mr. Sherman, seconded by Mr. Ratz, with all in favor, the Board adopted Resolution 2013-05, Designating Dates, Time and Location for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2013/2014, for the Catalina at Winkler Preserve Community Development District.

SEVENTH ORDER OF BUSINESS

**Discussion Concerning New
“Opportunity to be Heard” Legislation**

Mr. Earlywine provided a summary of the purpose and requirements of the legislation relating to the Public’s opportunity to be heard.

EIGHTH ORDER OF BUSINESS

**Consideration of Resolution 2013-06,
Providing for the Public’s Opportunity to
be Heard; Designating Public Comment
Periods; Designating a Procedure to
Identify Individuals Seeking to be Heard;
Addressing Public Decorum; Addressing
Exceptions**

Mr. Earlywine provided an overview of the Resolution, advising that the legislation takes effect October 1, 2013.

On a Motion by Mr. Kirkbride, seconded by Mr. Sherman, with all in favor, the Board adopted Resolution 2013-06, Providing for the Public’s Opportunity to be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to be Heard; Addressing Public Decorum; Addressing Exceptions, for the Catalina at Winkler Preserve Community Development District.

NINTH ORDER OF BUSINESS

**Discussion Concerning Rules of
Procedure**

Mr. Earlywine provided an overview of the Rules of Procedure.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2013-07,
Designating a Date, Time and Place for a
Public Hearing and Authorization to
Publish Notice of Such Hearing for the
Purpose of Adopting Rules of Procedure**

Mr. Earlywine provided an overview of the Resolution, advising he is not looking for a motion to adopt the rules but only to set the hearing on the rules and provide authorization for notice of such hearing.

On a Motion by Mr. Sherman, seconded by Mr. Johnston, with all in favor, the Board adopted Resolution 2013-07, Designating a Date, Time and Place for a Public Hearing and Authorization to Publish Notice of Such Hearing for the Purpose of Adopting Rules of Procedure, the hearing set for November 20, 2013 at 3:30 p.m., to be held at the office of the District Manager, located at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912, for the Catalina at Winkler Preserve Community Development District.

ELEVENTH ORDER OF BUSINESS

**Public Hearing Related to the Fiscal Year
2013/2014 Budget**

Ms. Syvret provided an overview of the public hearing process and asked for a motion to open the public hearing.

On a Motion by Mr. Sherman, seconded by Mr. Kirkbride, with all in favor, the Board opened the Public Hearing related to the Fiscal Year 2013/2014 Budget, for the Catalina at Winkler Preserve Community Development District.

TWELFTH ORDER OF BUSINESS

**Presentation of the Proposed Final
Budget for Fiscal Year 2013/2014**

Ms. Syvret provided an overview of the proposed final budget highlighting the line items experiencing a change since approval of the proposed budget. Discussion ensued.

Questions and comments from the audience were entertained.

THIRTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2013-08,
Relating to the Annual Appropriations
and Adopting the Budget for Fiscal Year
2013/2014**

Ms. Syvret provided an overview of the resolution advising that adoption of the resolution would adopt the budget as presented for Fiscal Year 2013/2014.

On a Motion by Mr. Sherman, seconded by Mr. Johnston, with all in favor, the Board adopted Resolution 2013-08, Annual Appropriations and Adopting the Budget for Fiscal Year 2013/2014 as presented, in the amount of \$334,239.79, for the Catalina at Winkler Preserve Community Development District.

FOURTEENTH ORDER OF BUSINESS

**Consideration of Resolution 2013-09,
Imposing Special Assessments; Providing
for the Collection and Enforcement of
Special Assessments; and Certifying an
Assessment Roll**

Ms. Syvret provided an overview of the resolution advising the assessment resolutions provides for collection and enforcement of the assessments required to fund the previously adopted budget for Fiscal Year 2013/2014.

On a Motion by Mr. Kirkbride, seconded by Mr. Sherman, with all in favor, the Board adopted Resolution 2013-09, Imposing Special Assessments; Providing for the Collection and Enforcement of Special Assessments; and Certifying an Assessment Roll, for the Catalina at Winkler Preserve Community Development District.

Ms. Syvret advised there was no further business to be conducted during the public hearing and asked for a motion to close the public hearing.

On a Motion by Mr. Johnston, seconded by Mr. Kirkbride, with all in favor, the Board closed the Public Hearing related to the Fiscal Year 2013/2104 Budget, for the Catalina at Winkler Preserve Community Development District.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

- A. District Counsel
Mr. Earlywine advised he had no report.
- B. District Engineer
Mr. Barraco provided an overview of results from a lake bank inspection. He advised the slopes look good in general, littoral flats are well established. He advised there are some vertical faces in some spots; however the water levels are too high right now to safely and adequately repair those areas and he intends to proceed when the water recedes. He suggested two possible options for repair, the first being geotube backfilled with sand, which requires County approval; and the second option being to re-grade and sod. Discussion ensued. Mr. Barraco advised he would obtain proposals for review by the Board at its February meeting.
- C. District Manager
Ms. Syvret announced the next meeting of the Board of Supervisors is scheduled for

November 20, 2013 at 3:30 pm, which is also the date of the scheduled Public Hearing related to the Rules of Procedure.

SIXTEENTH ORDER OF BUSINESS

**Supervisor Requests and Audience
Comments**

Ms. Syvret stated the next item on the agenda was audience comments.

Mr. George Johnson, property owner of lot 68, addressed the Board along with his engineering consultant regarding the variance requested and denied at the prior meeting to construct a pool behind his home with a deck that would encroach 4 foot into the drainage swale. It was further explained that based on information put together by the his engineer, there are only two other properties in the community that have similar circumstances that could potentially have cause to ask for a such a variance.

Discussion ensued.

Mr. Ratz made a motion, seconded by Mr. Sherman, to approve issuance of a letter of no objection to allow the pool deck to encroach four foot into the drainage swale subject to review by District staff. The motion was called for vote and, with two in favor and two opposed, the motion failed.

This item to be placed on the agenda for the November meeting.

Ms. Syvret opened the floor for Supervisor requests and comments. There were none.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

Ms. Syvret stated there are no other agenda items to come before the Board. She asked for a motion to adjourn the meeting.

On a Motion by Mr. Sherman, seconded by Mr. Johnston, with all in favor, the Board adjourned the meeting at 5:19 p.m. for the Catalina at Winkler Preserve Community Development District.

Secretary/Assistant Secretary

Chairman/Vice Chairman

Tab 2

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE • 3434 COLWELL AVENUE • SUITE 200 • TAMPA, FLORIDA 33614

Operation and Maintenance Expenditures August 2013 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from August 1, 2013 through August 31, 2013. This does not include expenditures previously approved by the Board.

The total items being presented: **\$5,585.26**

Approval of Expenditures:

_____ Chairman

_____ Vice Chairman

_____ Assistant Secretary


Catalina at Winkler Community Development District

Paid Operation & Maintenance Expenses

August 1, 2013 Through August 31, 2013

10101 - Cash-Operating Account

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Allstate Resource Management, Inc.	0721	96367	Lake & Mitigation Maintenance 08/13	\$ 450.00
Barraco and Associates, Inc.	0722	14149	Engineering Services 07/13	\$ 195.00
Breeze Corporation	0720	93018	Acct # L00993 Legal Advertising 07/13	\$ 102.08
Catalina at Winkler Homeowner's Assoc, Inc.	0719	71813	Reimb Electric Util to CDD Aerator Sys 08/13	\$ 140.00
Florida Power and Light Co	0716	09846-68343 07/13	17043 Tremont St #Aerator 07/13	\$ 162.43
Florida Power and Light Co	0716	11246-08348 07/13	17213 Wrigley Cir #Aerator 07/13	\$ 25.95
Floyd Johnston	0723	FJ082113	Board of Supervisors Meeting 08/21/13	\$ 200.00
Hopping Green & Sams	0717	71680	General/Monthly Legal Services 06/13	\$ 352.30
James Ratz	0725	JR082113	Board of Supervisors Meeting 08/21/13	\$ 200.00
John E. Kirkbride	0724	JK082113	Board of Supervisors Meeting 08/21/13	\$ 200.00
Keith Sherman	0726	KS082113	Board of Supervisors Meeting 08/21/13	\$ 200.00
Rizzetta & Company, Inc.	0718	15413	District Management Fees 08/13	\$ 3,357.50
Report Total				<u>\$ 5,585.26</u>

 **Allstate**
RESOURCE MANAGEMENT
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Invoice

96367

Bill To

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Contact Us

info@allstatemanagement.com

Phone: (954) 382-9766

Fax: (954) 382-9770

Please retain this portion for your records

Due Date 8/1/2013
Terms
Account # 1728
PO #

JUL 18 2013
Date Rec'd Rizzetta & Co., Inc.
D/M approval MM Date 7/31/13
Date entered JUL 23 2013
Fund 001 GL 53800 OC 4605
Check# _____

Description

Lake Management Services
Lake Management Services-Littoral Shelves

Amount Due

325.00
125.00

Total

\$450.00

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Invoice # 96367

Account # 1728

ALLSTATE RESOURCE MANAGEMENT, INC.
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Amount Enclosed: \$ 450.00

Please return this portion with your payment

Barraco and Associates

2271 McGregor Boulevard, Suite 100
Fort Myers, FL 33901

Catalina @ Winkler Preserve CDD
9530 Marketplace Rd
Suite 206
Fort Myers, FL 33912

Invoice number 14149
Date 08/09/2013

Project 22271 Catalina @ Winkler CDD

Description	Contract Amount	Percent Complete	Billed To Date	Less Previous Billing	Amount Due This Billing
01 (TM) General Consultation	4,000.00	859.00	34,360.00	34,165.00	195.00
02 (LS) Engineer's Report	6,000.00	100.00	6,000.00	6,000.00	0.00
03 (TM) Document Review	4,000.00	170.38	6,815.00	6,815.00	0.00
04 (LS) Meeting Representation - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
05 (LS) SOP - Addendum 1	3,500.00	100.00	3,500.00	3,500.00	0.00
06 (LS) TMDL Prior Rpt Monitoring - Addendum 1	3,000.00	100.00	3,000.00	3,000.00	0.00
07 (LS) Inspection & docum. of Fac. - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
08 (LS) Proactive Discharge Insp - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
09 (LS) Annual Report - Addendum 1	2,500.00	100.00	2,500.00	2,500.00	0.00
10 (TM) Out of Scope Services	0.00	0.00	13,458.50	13,458.50	0.00
11 (TM) Reimbursables	0.00	0.00	150.31	150.31	0.00
Total	27,500.00	270.12	74,283.81	74,088.81	195.00

01 (TM) General Consultation

	Hours	Rate	Billed Amount
Senior Professional Engineer	1.00	195.00	195.00
<i>Review erosion reports.</i>			

Invoice total **195.00**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
14149	08/09/2013	195.00	195.00				
	Total	195.00	195.00	0.00	0.00	0.00	0.00

Date Rec'd Rizzetta & Co., AUG 14 2013
D/M approval mm Date 8/15/13
Date entered AUG 20 2013
Fund 001 GL 51300 OC 3103
Check# _____

Classified/Legal Advertising Invoice

The Breeze Legals

2510 DEL PRADO BLVD.

CAPE CORAL, FL

33904

(239) 574-1110

CATALINA AT WINKLER PRESERVE CDD

9530 MARKETPLACE ROAD

SUITE 206

FORT MYERS, FL

07/31/2013 1:13:30PM

33912

No: 93018

Phone: 239 936-0913

Ad No 93018	Customer No: L00993	Start Date 07-31-2013	Stop Date 08-07-2013	Category: Legals		Classification: MISCELLANEOUS	
Order No	Rate: LA	Lines: 107	Words: 353	Inches: 10.40	Cost 102.08	Payments .00	Balance 102.08
Publications ... Runs Breeze Legals ... 2 Online Legals ... 2		Solicitor: SM	Origin: 17	Sales Rep: 3	Credit Card	Credit Card Number	Card Expire
		<div style="border: 1px solid black; padding: 5px; margin: 5px;"><div style="border: 1px solid black; padding: 2px; text-align: center;">Identifier</div><p>CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT</p><p>NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE</p></div> <div style="text-align: right; margin-top: 20px;">AUG 13 2013 Date Rec'd Rizzetta & Co., Inc. _____ M approval <u>MMA</u> Date <u>8/23/13</u> Date entered <u>AUG 20 2013</u> Fund <u>001</u> GL <u>51300</u> OC <u>4801</u> Check# _____</div>					

*=Extend Expiration Date

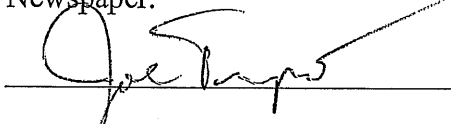
CAPE CORAL BREEZE
PUBLISHED CAPE CORAL, FLA

Affidavit of Publication

State of Florida

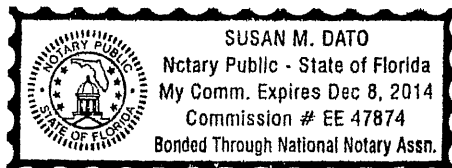
County of Lee

Before the undersigned authority personally appeared Joe Trupo, who on oath says that he/she is the ADVERTISING REPRESENTATIVE of the Cape Coral Breeze newspaper, published at Cape Coral, Lee County, Florida that the attached copy of advertisement, being a Legal Notice, in the matter of Catalina at Winkler Preserve Community Development District, as published in said newspaper in the issues, July 31, August 7, 2013. Affiant further says that the Cape Coral Breeze is a newspaper published at Cape Coral, said Lee County, Florida and that the said newspaper has heretofore been continuously published in said Lee County, Florida, and has been entered as a second class periodicals matter at the post office in Fort Myers in said Lee County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said Newspaper.


SWORN TO AND SUBSCRIBED before me this
August 7, 2013

Notary Public


93018



CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2013/2014 BUDGET AND NOTICE OF REGULAR BOARD OF SUPERVISORS MEETING

The Board of Supervisors of the Catalina at Winkler Preserve Community Development District will hold a public hearing on August 21, 2013 at 3:30 p.m. at the office of the District Manager, 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912 for the purpose of hearing comments and objections on the adoption of the budgets of the District for Fiscal Year 2013/2014. A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it.

A copy of the agenda and budgets may be obtained at the offices of the District Manager, 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912, during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law for Community Development Districts. The public hearing and/or meeting may be continued to a date, time, and place to be specified on the record at the meeting.

There may be occasions when staff or other individuals may participate by speaker telephone.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (239) 936-0913 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Molly Syvret
District Manager
Run Dates: 7/31/2013 & 8/7/2013
93018

INVOICE

Catalina at Winkler HOA
12650 Whitehall Drive
Fort Myers, FL 33907

DATE: August 1, 2013
INVOICE # 71813
FOR: Electric Service

Molly A Syvret
Rizzetta & Company, Inc
9530 Marketplace Road, Suite 206
Fort Myers, FL 33912

DESCRIPTION	AMOUNT
Aug - Areator electrial service running of pool electric at Catalina	\$140.00
<p>Date Rec'd Rizzetta & Co., Inc. <u>AUG 08 2013</u> O/M approval <u>mna</u> Date <u>8/13/13</u> Date entered <u>AUG 12 2013</u> Fund <u>001</u> GL <u>5310000</u> <u>4301</u> Check# _____</p>	
Please make check payable to: Catalina at Winkler 12650 Whitehall Drive Ft Myers, FL 33907	
TOTAL	\$140.00



/ 27

12249 5319098466834383426100000

Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:
FPL Care To Share \$ _____

B 5,7,8 5319 8

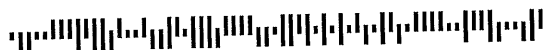
AUTO **R1 1270
1 131040



CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001



Account number	Total amount you owe	New charges due by	Amount enclosed
09846-68343	\$162.43	Aug 19 2013	\$ 162.43

Your electric statement

Account number: 09846-68343

For: Jun 26 2013 to Jul 29 2013 (33 days)

Customer name: CATALINA AT WINKLER

Service address: 17043 TREMONT ST # AERATOR

Statement date: Jul 29 2013
Next meter reading: Aug 28 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
133.61	133.61 CR	0.00	0.00	162.43	\$162.43	Aug 19 2013

Meter reading - Meter ACD7513

Current reading 19365
Previous reading - 17872
kWh used 1493

Energy usage

kWh this month 1493
Service days 33
kWh per day 45

****The electric service amount includes the following charges:**

Customer charge: \$7.13
Fuel: \$44.13
(\$0.029560 per kWh)
Non-fuel: \$90.35
(\$0.060510 per kWh)

**Enroll now in Budget Billing by paying \$122.49
in 1 payment by the due date instead of \$162.43
Your bill will be about the same each month & year-round.
Learn more at: www.FPL.com/companybb.**

Amount of your last bill	133.61
Payment received - Thank you.	133.61 CR
Balance before new charges	\$0.00
New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)	
Electric service amount	141.61**
Storm charge	2.09
Gross receipts tax	3.68
Franchise charge	4.42
Florida sales tax	10.63
Total new charges	\$162.43

Total amount you owe**\$162.43**

- Payments received after **August 19, 2013** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- The number of days included in your bill can vary month to month. So even if you use the same amount of energy per day, your bill may be higher this month due to greater number of service days. Visit www.FPL.com for more information

AUG 01 2013

Date Rec'd Rizzetta & Co., Inc.

D/M approval mm Date 8/7/13Date entered AUG 05 2013Fund 001 6153108 004301

Check# _____

Please have your account number ready when contacting FPL.
Customer service: 1-800-375-2434
Outside Florida: 1-800-226-3545
To report power outages: 1-800-4OUTAGE (468-8243)
Hearing/speech impaired: 711 (Relay Service)



FPL

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5319112460834895952000000

Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:
FPL Care To Share \$ _____

B 5,8 5319 9

CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001

Account number	Total amount you owe	New charges due by	Amount enclosed
11246-08348	\$25.95	Aug 19 2013	\$ 25.95

Your electric statement

For: Jun 26 2013 to Jul 29 2013 (33 days)

Customer name: CATALINA AT WINKLER

Service address: 17213 WRIGLEY CIR # AERATOR

Account number: 11246-08348

Statement date: Jul 29 2013

Next meter reading: Aug 28 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
57.54	57.54 CR	0.00	0.00	25.95	\$25.95	Aug 19 2013

Meter reading - Meter ACD7626

Current reading 08606
Previous reading - 08433
kWh used 173

Amount of your last bill 57.54
Payment received - Thank you 57.54 CR
Balance before new charges \$0.00

Energy usage

kWh this month 173
Service days 33
kWh per day 5

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount 22.71**
Storm charge 0.24
Gross receipts tax 0.59
Franchise charge 0.71
Florida sales tax 1.70

****The electric service amount includes the following charges:**

Customer charge: \$7.13
Fuel: \$5.11
(\$0.029560 per kWh)
Non-fuel: \$10.47
(\$0.060510 per kWh)

Total new charges **\$25.95****Total amount you owe****\$25.95**

- Payments received after **August 19, 2013** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- The number of days included in your bill can vary month to month. So even if you use the same amount of energy per day, your bill may be higher this month due to greater number of service days. Visit www.FPL.com for more information.

Date Rec'd Rizzetta & Co., Inc. **AUG 01 2013**O/M approval *mra* Date *8/7/13*Date entered **AUG 05 2013**Fund *001* GL *53106004801*

Check# _____

Please have your account number ready when contacting FPL.
Customer service: 1-800-375-2434
Outside Florida: 1-800-226-3545
To report power outages: 1-800-4OUTAGE (468-8243)
Hearing/speech impaired: 711 (Relay Service)



CATALINA AT WINKLER PRESERVE SUPERVISORS PAY REQUEST

Date of Meeting: August 21, 2013

	Name of Board Supervisor	Check if present	Check if to be paid
<u>KS 082113</u>	Keith Sherman	X	X
<u>JK 082113</u>	John Kirkbride	X	X
<u>FS 082113</u>	Floyd "Butch" Johnston	X	X
<u>JR 082113</u>	James Ratz	X	X
	Jonathan Pentecost		

\$200⁰⁰
Each

Date Rec'd Rizzetta & Co., Inc. AUG 26 2013
 D/M approval mas 8/21/13
 Date entered AUG 22 2013
 Fund 001 GL 51100 OC 1101
 Check# _____

Hopping Green & Sams

Attorneys and Counselors

119 S. Monroe Street, Ste. 300
P.O. Box 6526
Tallahassee, FL 32314
850.222.7500

STATEMENT

July 31, 2013

Catalina at Winkler Preserve CDD
c/o Rizzetta & Company, Inc
9530 Marketplace Road
Suite 206
Fort Myers, FL 33912

Bill Number 71680
Billed through 06/30/2013

AUG 05 2013
Date Rec'd Rizzetta & Co., Inc.
D/M approval *mms* Date *8/7/13*
Date entered *AUG 05 2013*
Fund *001* GL *51400* OC *3107*
Check#

General Counsel/Monthly Meeting
CATCDD 00001 JLE

FOR PROFESSIONAL SERVICES RENDERED

05/31/13	MCE	Research and revise rules of procedure.	0.20 hrs
05/31/13	AEH	Research rules of procedure regarding possible changes due to passed legislation; revise rules of procedure.	0.90 hrs
05/31/13	GM	Research legislation regarding rules of procedure.	0.10 hrs
05/31/13	AHJ	Research additional legislation regarding rules of procedure.	0.10 hrs
06/27/13	CBO	Follow up on status of budget preparations; review and revise budget hearing notice and appropriations resolution.	0.40 hrs
06/28/13	CBO	Review and revise assessment resolution.	0.30 hrs
Total fees for this matter			\$350.80

DISBURSEMENTS

Copying Charges	1.50
Total disbursements for this matter	\$1.50

MATTER SUMMARY

Holway, Andrew E.	0.90 hrs	175 /hr	\$157.50
Jaskolski, Amy H. - Paralegal	0.10 hrs	120 /hr	\$12.00
Bowen, Chuck	0.70 hrs	175 /hr	\$122.50
Magruder, G. Brock - Law Clerk	0.10 hrs	98 /hr	\$9.80
Eckert, Michael C.	0.20 hrs	245 /hr	\$49.00

TOTAL FEES	\$350.80
TOTAL DISBURSEMENTS	\$1.50

TOTAL CHARGES FOR THIS MATTER

\$352.30

BILLING SUMMARY

Holway, Andrew E.	0.90 hrs	175 /hr	\$157.50
Jaskolski, Amy H. - Paralegal	0.10 hrs	120 /hr	\$12.00
Bowen, Chuck	0.70 hrs	175 /hr	\$122.50
Magruder, G. Brock - Law Clerk	0.10 hrs	98 /hr	\$9.80
Eckert, Michael C.	0.20 hrs	245 /hr	\$49.00

TOTAL FEES	\$350.80
------------	----------

TOTAL DISBURSEMENTS	\$1.50
---------------------	--------

TOTAL CHARGES FOR THIS BILL	\$352.30
------------------------------------	-----------------

Please include the bill number on your check.

CATALINA AT WINKLER PRESERVE SUPERVISORS PAY REQUEST

Date of Meeting: August 21, 2013

	Name of Board Supervisor	Check if present	Check if to be paid
<u>KS 082113</u>	Keith Sherman	X	X
<u>JK 082113</u>	John Kirkbride	X	X
<u>FS 082113</u>	Floyd "Butch" Johnston	X	X
<u>JR 082113</u>	James Ratz	X	X
	Jonathan Pentecost		

\$200⁰⁰
Each

Date Rec'd Rizzetta & Co., Inc. AUG 26 2013
 D/M approval mas 8/21/13
 Date entered AUG 22 2013
 Fund 001 GL 51100 OC 1101
 Check# _____

CATALINA AT WINKLER PRESERVE SUPERVISORS PAY REQUEST

Date of Meeting: August 21, 2013

	Name of Board Supervisor	Check if present	Check if to be paid
<u>KS 082113</u>	Keith Sherman	X	X
<u>JK 082113</u>	John Kirkbride	X	X
<u>FS 082113</u>	Floyd "Butch" Johnston	X	X
<u>JR 082113</u>	James Ratz	X	X
	Jonathan Pentecost		

\$200⁰⁰
Each

Date Rec'd Rizzetta & Co., Inc. AUG 26 2013
 D/M approval mas Date 8/21/13
 Date entered AUG 22 2013
 Fund 001 GL 51100 OC 1101
 Check# _____

CATALINA AT WINKLER PRESERVE SUPERVISORS PAY REQUEST

Date of Meeting: August 21, 2013

	Name of Board Supervisor	Check if present	Check if to be paid
<u>KS 082113</u>	Keith Sherman	X	X
<u>JK 082113</u>	John Kirkbride	X	X
<u>FS 082113</u>	Floyd "Butch" Johnston	X	X
<u>JR 082113</u>	James Ratz	X	X
	Jonathan Pentecost		

\$200⁰⁰
Each

Date Rec'd Rizzetta & Co., Inc. AUG 26 2013
 D/M approval mas 8/21/13
 Date entered AUG 22 2013
 Fund 001 GL 51100 OC 1101
 Check# _____

RIZZETTA & COMPANY, INC.

5020 W Linebaugh Avenue

Suite 200

Tampa, FL 33624

Invoice

DATE	INVOICE NO.
8/1/2013	15413

BILL TO

CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT DISTRICT
3434 Colwell Avenue, Suite 200
Tampa, Florida 33614

TERMS	PROJECT
Due Upon Rec't	327 - CDD

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
DM ADMIN ACTG FC	<p>PROFESSIONAL FEES:</p> <p>District Management Services Administrative Services Accounting Services Financial Consulting Services</p> <p>Services for the period August 1, 2013 - August 31, 2013</p> <p>08/13</p> <p>RECEIVED 1 JUL 25 2013</p> <p>Date Rec'd Rizzetta & Co., Inc. _____</p> <p>D/M approval <u>ms</u> Date <u>8/7/13</u></p> <p>Date entered <u>AUG 05 2013</u></p> <p>Fund <u>001</u> GL <u>51300</u> OC <u>3101</u></p> <p>Check # <u>3100</u></p> <p>3201 3111</p>		1,820.00 490.00 962.50 85.00	1,820.00 490.00 962.50 85.00
			Total	\$3,357.50

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE • 3434 COLWELL AVENUE • SUITE 200 • TAMPA, FLORIDA 33614

Operation and Maintenance Expenditures September 2013 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from September 1, 2013 through September 30, 2013. This does not include expenditures previously approved by the Board.

The total items being presented: **\$9,954.95**

Approval of Expenditures:

_____ Chairman

_____ Vice Chairman

_____ Assistant Secretary

Catalina at Winkler Community Development District

Paid Operation & Maintenance Expenses

September 1, 2013 Through September 30, 2013

10101 - Cash-Operating Account

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Allstate Resource Management, Inc.	0735	96990	Lake & Mitigation Maintenance 09/13	\$ 450.00
Allstate Resource Management, Inc.	0732	97849	Qtrly Fountain & Aeration Maint & New Compressor	\$ 1,227.48
Auto Owners Insurance	0733	013053677 FY13/14	Casualty Insurance FY13/14	\$ 354.98
Catalina at Winkler Homeowner's Association, Inc.	0729	Sep-13	Reimb Electric Util to CDD Aerator Sys 09/13	\$ 140.00
Florida Power and Light Company	0727	09846-68343 08/13	17043 Tremont St #Aerator 08/13	\$ 151.36
Florida Power and Light Company	0727	11246-08348 08/13	17213 Wrigley Cir #Aerator 08/13	\$ 9.82
Hopping Green & Sams	0730	72101	General/Monthly Legal Services 07/13	\$ 310.50
Prager & Co., LLC	0736	4802	Amortization Schedule	\$ 100.00
Rizzetta & Company, Inc.	0728	15515	District Management Fees 09/13	\$ 3,357.50
Stahl & Associates Insurance	0731	30867	General/POL Liability Insurance 10/01/13-10/01/14	\$ 3,600.31
Travelers	0734	2107VA167 FY13/14	Boiler & Machinery Insurance FY13/14	\$ 253.00
Report Total				<u>\$ 9,954.95</u>



RESOURCE MANAGEMENT
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Invoice

96990

Bill To

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Contact Us

info@allstatemanagement.com

Phone: (954) 382-9766

Fax: (954) 382-9770

Please retain this portion for your records

Due Date 9/1/2013

Terms

Account # 1728

PO #

Description

09/13

Amount Due

Lake Management Services

325.00

Lake Management Services-Littoral Shelves

125.00

Date Rec'd Rizzetta & Co., Inc. AUG 19 2013
P/M approval MNR Date 8/23/13
Date entered AUG 20 2013
Fund 001 GL 53800 004605
Check# _____

Total

\$450.00

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Invoice # 96990

Account # 1728

**Amount
Enclosed:**

\$ 450.00

ALLSTATE RESOURCE MANAGEMENT, INC.
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Please return this portion with your payment

 **Allstate**
RESOURCE MANAGEMENT
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Invoice

97849

Bill To

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Contact Us

info@allstatemanagement.com

Phone: (954) 382-9766

Fax: (954) 382-9770

Please retain this portion for your records

Due Date 9/13/2013
Terms Due on receipt
Account # 1728
PO #

Description**Amount Due**

Fountain Maintenance Services Quarterly, Aeration Service Quarterly, New
3/4HP Rotary Vane Compressor, Air Filter Element (RV)

1,227.48

Date Rec'd Rizzetta & Co., Inc. SEP 16 2013
D/M approval mm Date 9/18/13
Date entered SEP 17 2013
Fund 001 53800 00 4601
Check# _____

Total \$1,227.48

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Invoice # 97849

Account # 1728

ALLSTATE RESOURCE MANAGEMENT, INC.
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Amount Enclosed: \$ 1227.48

Please return this portion with your payment

STAHL & ASSOCIATES INSURANCE
3939 TAMPA RD
OLDSMAR, FL 34677-3104



P.O. Box 30315, LANSING, MICHIGAN 48909-7815

09-11-2013

(727) 784-8554

Date Rec'd Rizzetta & Co., Inc. SEP 16 2013
D/M approval MRS Date 9/16/13
Date entered SEP 17 2013
Fund 001 GL 1550000
Check# _____

CATALINA AT WINKLER PRESERVE CDD
C/O RIZZETTA & CO
9530 MARKETPLACE RD STE 206
FORT MYERS, FL 33912-0393

Billing Plan	Account Number	Due Date	Minimum Due	Account Balance
FULL PAY	013053677	10-01-2013	\$354.98	\$354.98

Enroll at www.auto-owners.com to make a payment, view your premium invoice, or view your policy information. A separate Personal ID (PID) Code is required to enroll each policy. The PID Code(s) are located on the back of this invoice for each enrollable policy.

Payment of your premium via check to Auto-Owners Insurance or your agency authorizes us to process your payment electronically. Funds may be withdrawn from your account as soon as the same day we receive your payment.

A fee of up to \$15.00 will be charged if a cancellation notice is issued. A fee of up to \$25.00 will be charged for checks returned due to insufficient funds. If your check is returned for non-sufficient funds (NSF), we may re-present the check as an electronic ACH transaction. An \$8.00 convenience fee will be charged when making a payment by phone.

***** SEE THE REVERSE SIDE OF THIS PAGE FOR DETAILS OF YOUR ACCOUNT BALANCE *****

067712



Detach here and mail with your payment in the envelope provided. No staples please.

Premium Invoice
09-11-2013

Billing Plan	Account Number	Due Date	Minimum Due	Account Balance
FULL PAY	013053677	10-01-2013	\$354.98	\$354.98

12-0049-00
STAHL & ASSOCIATES INSURANCE
3939 TAMPA RD
OLDSMAR, FL 34677-3104

PLEASE DO NOT SEND CASH.
MAKE CHECK PAYABLE TO
AUTO-OWNERS INSURANCE

CATALINA AT WINKLER PRESERVE CDD
C/O RIZZETTA & CO
9530 MARKETPLACE RD STE 206
FORT MYERS, FL 33912-0393

AUTO-OWNERS INSURANCE
P.O. BOX 30315
LANSING, MI 48909-7815



013053677 10 2 0000035498 00035498 0

Account Number 013053677
Account PID 1T6 A9T 72X

CATALINA AT WINKLER PRESERVE CDD

Account/Policy Information	Previous Balance	New Charges	New Credits	Payments Applied	Current Balance	Minimum Due
ASUALTY Policy: 122312 20297662 Effective: 10-01-2012 ID: 3K9 C94 P4C Expiration: 10-01-2013 Current Policy Balance					0.00	0.00
----- ASUALTY Policy: 122312 20297662 Effective: 10-01-2013 ID: 3K9 C94 P4C Expiration: 10-01-2014 Renewal 08-16-2013 Premium Change 08-16-2013 Current Policy Balance		347.00 7.98			354.98	354.98
Total	0.00	354.98	0.00	0.00	354.98	354.98

The following is a list of policies on this billing account:

CASUALTY 122312 20297662

INVOICE

Catalina at Winkler *HOA*
12650 Whitehall Drive
Fort Myers, FL 33907

DATE: September 1, 2013
INVOICE # Sep-13
FOR: Electric Service

Bill To:
Molly A Syvret
Rizzetta & Company, Inc
9530 Marketplace Road, Suite 206
Fort Myers, FL 33912

DESCRIPTION	AMOUNT
Sept - Areator electrial service running of pool electric at Catalina	\$140.00
<p>Please make check payable to:</p> <p>Catalina at Winkler 12650 Whitehall Drive Ft Myers, FL 33907</p> <p>date rec'd Rizzetta & Co., Inc. <u>SEP 09 2013</u> O/M approval <u><i>MPA</i></u> Date <u>9/11/13</u> Date entered <u>SEP 09 2013</u> Fund <u>001</u> GL <u>53100</u> OC <u>4301</u> Check# _____</p>	
TOTAL	\$140.00



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Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:
FPL Care To Share \$ _____

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AUTO **R1 1270
1 121749



CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001



Account number	Total amount you owe	New charges due by	Amount enclosed
09846-68343	\$151.36	Sep 18 2013	\$ 151 ³⁶

Your electric statement

For: Jul 29 2013 to Aug 28 2013 (30 days)

Customer name: CATALINA AT WINKLER

Service address: 17043 TREMONT ST # AERATOR

Account number: 09846-68343

Statement date: Aug 28 2013

Next meter reading: Sep 27 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
162.43	162.43 CR	0.00	0.00	151.36	\$151.36	Sep 18 2013

Meter reading - Meter ACD7513

Current reading 20751
Previous reading - 19365
kWh used 1386

Energy usage

	Last Year	This Year
kWh this month	1231	1386
Service days	33	30
kWh per day	37	46

**Enroll now in Budget Billing by paying \$123.49
in 1 payment by the due date instead of \$151.36**
Your bill will be about the same each month & year-round.
Learn more at: www.FPL.com/companybb.

**The electric service amount includes the following charges:

Customer charge: \$7.13
Fuel: \$40.97
(\$0.029560 per kWh)
Non-fuel: \$83.86
(\$0.060510 per kWh)

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount 131.96**
Storm charge 1.94
Gross receipts tax 3.43
Franchise charge 4.12
Florida sales tax 9.91

Total new charges

\$151.36

Total amount you owe

\$151.36

SEP 03 2013

ate meco Rizzetta & Co., Inc.

/M approval MPB Date 9/3/13

ate entered SEP 03 2013

und 001 GL53100 004301

back#

- Payments received after **September 18, 2013** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- The Florida Public Service Commission approved a quarterly storm charge adjustment. The slight decrease will apply to your bill beginning Sept. 1. Visit www.FPL.com/rates to learn more about the charges on your bill.

Please have your account number ready when contacting FPL.

Customer service: 1-800-375-2434

Outside Florida: 1-800-226-3545

To report power outages: 1-800-4OUTAGE (468-8243)

Hearing/speech impaired: 711 (Relay Service)

Online at: www.FPL.com





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Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:
FPL Care To Share \$ _____

B 5,8 5319 9

CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001

Account number	Total amount you owe	New charges due by	Amount enclosed
11246-08348	\$9.82	Sep 18 2013	\$ 9.82

Your electric statement**Account number: 11246-08348**

For: Jul 29 2013 to Aug 28 2013 (30 days)

Customer name: CATALINA AT WINKLER

Service address: 17213 WRIGLEY CIR # AERATOR

Statement date: Aug 28 2013

Next meter reading: Sep 27 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
25.95	25.95 CR	0.00	0.00	9.82	\$9.82	Sep 18 2013

Meter reading - Meter ACD7626

Current reading 08623
Previous reading - 08606
Wh used 17

Amount of your last bill 25.95
Payment received - Thank you 25.95 CR
Balance before new charges \$0.00

Energy usage

	Last Year	This Year
Wh this month	323	17
Service days	33	30
Wh per day	10	1

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount	8.65**
Storm charge	0.03
Gross receipts tax	0.22
Franchise charge	0.27
Florida sales tax	0.65
Total new charges	\$9.82

***The electric service amount includes the following charges:**

Customer charge: \$7.13
Fuel: \$0.50
(\$0.029560 per kWh)
Non-fuel: \$1.02
(\$0.060510 per kWh)

Total amount you owe \$9.82

- The Florida Public Service Commission approved a quarterly storm charge adjustment. The slight decrease will apply to your bill beginning Sept. 1. Visit www.FPL.com/rates to learn more about the charges on your bill.

SEP 03 2013

Date Rec'd Rizzetta & Co., Inc.

D/M approval mm Date 9/4/13Date entered SEP 03 2013Fund 001 GL 53100 OC 4301

Check# _____

Please have your account number ready when contacting FPL.

Customer service: 1-800-375-2434

Outside Florida: 1-800-226-3545

To report power outages: 1-800-4OUTAGE (468-8243)

Hearing/speech impaired: 711 (Relay Service)

Online at: www.FPL.com

Hopping Green & Sams

Attorneys and Counselors

119 S. Monroe Street, Ste. 300
P.O. Box 6526
Tallahassee, FL 32314
850.222.7500

STATEMENT

August 27, 2013

Catalina at Winkler Preserve CDD
c/o Rizzetta & Company, Inc
9530 Marketplace Road
Suite 206
Fort Myers, FL 33912

Bill Number 72101
Billed through 07/31/2013

General Counsel/Monthly Meeting
CATCDD 00001 JLE

Date Rec'd Rizzetta & Co., Inc. SEP 06 2013
D/M approval mm Date 9/11/13
Date entered SEP 09 2013
Fund 001 GL 51400 OC 3107

FOR PROFESSIONAL SERVICES RENDERED Check#

07/02/13	CBO	Draft correspondence regarding fiscal year 2013-14 budget documents.	0.20 hrs
07/05/13	KEM	Prepare rules of procedure, notice of rulemaking, notice of rule development and memorandum regarding revised rules.	0.20 hrs
07/08/13	CBO	Analyze issue regarding erosion of lake banks; confer with Syvret regarding same.	0.80 hrs
07/09/13	KEM	Prepare rules of procedure, notice of rulemaking, notice of rule development and memorandum regarding revised rules.	0.20 hrs
07/29/13	CBO	Review proof of notice of budget hearing and confer with Hardwick regarding same.	0.20 hrs
07/30/13	CBO	Review documents relating to revision of rules of procedure.	0.30 hrs
Total fees for this matter			\$310.50

MATTER SUMMARY

Bowen, Chuck	1.50 hrs	175 /hr	\$262.50
Ibarra, Katherine E. - Paralegal	0.40 hrs	120 /hr	\$48.00

TOTAL FEES \$310.50

TOTAL CHARGES FOR THIS MATTER

\$310.50

BILLING SUMMARY

Bowen, Chuck	1.50 hrs	175 /hr	\$262.50
Ibarra, Katherine E. - Paralegal	0.40 hrs	120 /hr	\$48.00

TOTAL FEES \$310.50

=====

TOTAL CHARGES FOR THIS BILL

\$310.50

Please include the bill number on your check.

Prager & Co., LLC

Attn: Mary Danielsen
c/o Disclosure Services, LLC
152 Lincoln Avenue
Winter Park, FL 32789

Phone # 407-622-0296

Fax # 407-622-0135

E-mail mdanielsen@disclosureservices.info

Invoice

Date	Invoice #
4/12/2013	4802

Bill To
Catalina at Winkler Preserve CDD c/o Rizzetta & Co

Terms	Due Date
Net 30	5/12/2013

Description	Amount
Amortization Schedule Series 2005 5/1/13 \$5k prepay Date Rec'd Rizzetta & Co., Inc. <u>SEP 19 2013</u> D/M approval <u>MMA</u> Date <u>9/25/13</u> Date entered <u>SEP 24 2013</u> Fund <u>001</u> GL <u>51300 00</u> <u>4902</u> Check# _____	100.00
Total <u>\$100.00</u>	
Payments/Credits	\$0.00
Balance Due	\$100.00

Invoices unpaid for more than 30 days are subject to a late payment charge of 1.5% per month on the unpaid balance.

RIZZETTA & COMPANY, INC.

Suite 200

5020 W Linebaugh Avenue

Suite 200

Tampa, FL 33624

Invoice

DATE	INVOICE NO.
9/1/2013	15515

BILL TO

CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT DISTRICT
3434 Colwell Avenue, Suite 200
Tampa, Florida 33614

TERMS	PROJECT
Due Upon Rec't	327 - CDD

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
DM ADMIN ACTG FC	PROFESSIONAL FEES: District Management Services Administrative Services Accounting Services Financial Consulting Services Services for the period September 1, 2013 - September 30, 2013		1,820.00 490.00 962.50 85.00	1,820.00 490.00 962.50 85.00
<div style="text-align: right;">RECEIVED Rizzetta & Co., Inc. <u>AUG 26 2013</u> M approval <u>MMB</u> Date <u>9/4/13</u> ate entered <u>SEP 03 2013</u> una <u>001</u> GL <u>51300</u> OC <u>3101</u> 3100 3201 3111</div>				
Total				\$3,357.50



Stahl & Associates Insurance
3939 Tampa Road
Oldsmar, FL 34677
Phone : 727-784-8554 Fax : 727-789-2823

Catalina at Winkler Preserve
c/o Rizzetta & Co
9530 Marketplace Rd., Ste 206
Ft. Myers, FL 33912

INVOICE # 30867		Page 1
ACCOUNT NO.	OF	DATE
CATAL-1	SG	09/05/13
Public Officials Liability		
POLICY #		
NHP648423		
COMPANY		
Socius Insurance Services		
EFFECTIVE	EXPIRATION	BALANCE DUE ON
10/01/13	10/01/14	09/13/13

Item #	Eff Date	Trn	Type	Description	Amount
543836	10/01/13	MEM	PUBL	Property	\$ 1,574.31
543837	10/01/13	MEM	PUBL	Public Officials Liability	\$ 2,026.00
Invoice Balance:					\$ 3,600.31

SEP 06 2013
Date Rec'd Rizzetta & Co., Inc. _____
D/M approval MIB Date 9/11/13
Date entered SEP 09 2013
Fund 001 GL 15500 OC _____
Check# _____

Please make check payable to Stahl & Associates, and remit directly to our office for processing. Thank you.

Account Bill

Account No. 2107VA167
Date of This Bill 09/11/13

CP 02 6640 66640LKQ 13253 10757 P2

CATALINA AT WINKLET PRESERVE CDD
C/O RIZZETTA & CO., INC.
9530 MARKETPLACE RD. DATE REC'D Rizzetta & Co., Inc.
FORT MYERS FL 33912 SEP 16 2013

TOTAL BALANCE
\$253.00
MINIMUM DUE
\$253.00

D/M approval mas Date 9/18/13
Date entered SEP 17 2013
Fund 001 GL 155000
Check#

PAYMENT MUST BE RECEIVED BY:
OCTOBER 01, 2013

ACCOUNT BILLING SUMMARY

POLICY	TYPE	POLICY PERIOD	MIN. DUE	BALANCE
4C05745A BME1	Boiler & Machinery	10/01/13 To 10/01/14	\$253.00	\$253.00
4C05745A BM21	Boiler & Machinery	10/01/12 To 10/01/13	PAID	PAID
TOTAL BALANCE			\$253.00	\$253.00

TRANSACTIONS SINCE LAST STATEMENT

Total Transactions (See Transaction Detail Section)	+253.00
TOTAL BALANCE	\$253.00

TRANSACTION DETAIL

POLICY NUMBER 4C05745A BME1	Boiler & Machinery	
10/01/13	Renewal	250.00
10/01/13	FL Cat Fund Emerg Assessment	3.00
TOTAL TRANSACTIONS		\$253.00

CONTINUED ON NEXT PAGE

Please detach the payment coupon and mail with your payment in the enclosed envelope to:
TRAVELERS CL REMITTANCE CENTER, PO BOX 660317, DALLAS, TX 75266-0317.

648842H 2013254 7955 856 0BRX53

Payment Coupon Make checks payable to: TRAVELERS

STAHL ROSS & ASSOCIATES
CATALINA AT WINKLET PRESERVE C
2107VA167

Include Account Number on the check.

☐

Change of Address?
Place an "X" here.
Print changes on reverse side.

PAYMENT MUST BE RECEIVED BY
OCTOBER 01, 2013

TOTAL BALANCE
\$253.00
MINIMUM DUE
\$253.00
AMOUNT ENCLOSED

TRAVELERS CL REMITTANCE CENTER
PO BOX 660317
DALLAS, TX 75266-0317



9932313037220131363740393939395100002530000002530002

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

Operation and Maintenance Expenditures October 2013 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from October 1, 2013 through October 31, 2013. This does not include expenditures previously approved by the Board.

The total items being presented: **\$15,003.68**

Approval of Expenditures:

_____ Chairman

_____ Vice Chairman

_____ Assistant Secretary


Catalina at Winkler Community Development District

Paid Operation & Maintenance Expenses

October 1, 2013 Through October 31, 2013

10101 - Cash-Operating Account

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Allstate Resource Management, Inc.	0739	97611	Lake & Mitigation Maintenance 10/13	\$ 450.00
Barraco and Associates, Inc.	0743	14235	Engineering Services 09/13	\$ 4,552.10
Breeze Corporation	0741	93734	Acct # L00993 Legal Advertising 10/13	\$ 46.00
Breeze Corporation	0744	93822	Acct # L00993 Legal Advertising 10/13	\$ 107.00
Catalina at Winkler Homeowner's Association, Inc.	0745	Oct-13	Reimb Electric Util to CDD Aerator Sys 10/13	\$ 140.00
Florida Power and Light Company	0737	09846-68343 09/13	17043 Tremont St #Aerator 09/13	\$ 149.85
Florida Power and Light Company	0737	11246-08348 09/13	17213 Wrigley Cir #Aerator 09/13	\$ 51.58
Hopping Green & Sams	0740	72636	General/Monthly Legal Services 08/13	\$ 1,149.65
Rizzetta & Company, Inc.	0738	15624	District Management Fees 10/13	\$ 3,357.50
Rizzetta & Company, Inc.	0742	15718	Assesment Roll Preparation FY 2013-2014	\$ 5,000.00
Report Total				<u>\$ 15,003.68</u>

 **Allstate**
RESOURCE MANAGEMENT
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Invoice

97611

Bill To

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Contact Us

info@allstatemanagement.com

Phone: (954) 382-9766

Fax: (954) 382-9770

Please retain this portion for your records

Due Date 10/1/2013

Terms

Account # 1728

PO #

Description**Amount Due**

Lake Management Services

325.00

Lake Management Services-Littoral Shelves

125.00

Date Rec'd Rizzetta & Co., Inc. SEP 16 2013
D/M approval MVA Date 9/18/13
Date entered SEP 17 2013
Fund 001 GL 5380000 4605
Check# _____

Total

\$450.00

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Invoice # 97611

Account # 1728

Amount \$ 450.00
Enclosed:

ALLSTATE RESOURCE MANAGEMENT, INC.
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Please return this portion with your payment

Barraco and Associates

2271 McGregor Boulevard, Suite 100
Fort Myers, FL 33901

Catalina @ Winkler Preserve CDD
9530 Marketplace Rd
Suite 206
Fort Myers, FL 33912

OCT 25 2013
Date Rec'd Rizzotto & Co., Inc.
D/M approval m/m Date 10/29/13
Date entered OCT 29 2013
Fund 001 SI 51300 OC 3103

Invoice number 14235
Date 10/23/2013
Project 22271 Catalina @ Winkler CDD

Description	Contract Amount	Percent Complete	Billed To Date	Less Previous Billing	Amount Due This Billing
01 (TM) General Consultation	4,000.00	882.63	35,305.00	34,360.00	945.00
02 (LS) Engineer's Report	6,000.00	100.00	6,000.00	6,000.00	0.00
03 (TM) Document Review	4,000.00	170.38	6,815.00	6,815.00	0.00
04 (LS) Meeting Representation - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
05 (LS) SOP - Addendum 1	3,500.00	100.00	3,500.00	3,500.00	0.00
06 (LS) TMDL Prior Rpt Monitoring - Addendum 1	3,000.00	100.00	3,000.00	3,000.00	0.00
07 (LS) Inspection & docum. of Fac. - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
08 (LS) Proactive Discharge Insp - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
09 (LS) Annual Report - Addendum 1	2,500.00	100.00	2,500.00	2,500.00	0.00
10 (LS) Meeting Representation - Add 2	1,500.00	40.00	600.00	0.00	600.00
11 (LS) Inspection & Docum of Fac. - Add 2	1,500.00	100.00	1,500.00	0.00	1,500.00
12 (LS) Proactive Illicit Disch. Inspections - Add 2	1,500.00	100.00	1,500.00	0.00	1,500.00
13 (LS) Annual Report - Add 2	2,500.00	0.00	0.00	0.00	0.00
14 (TM) Out of Scope Services	0.00	0.00	13,458.50	13,458.50	0.00
15 (TM) Reimbursables	0.00	0.00	157.41	150.31	7.10
Total	34,500.00	228.51	78,835.91	74,283.81	4,552.10

01 (TM) General Consultation

	Hours	Rate	Billed Amount
Senior Construction Observer	4.00	90.00	360.00
<i>Check drainage inlets as requested by Molly. Stormwater issue with high water complaints.</i>			
Senior Professional Engineer	3.00	195.00	585.00
<i>Prepare for and attend BOS, assist with drainage investigation.</i>			
subtotal	7.00		945.00
Phase subtotal			945.00

15 (TM) Reimbursables

	Units	Billed Amount
8 x 11 copies	100.00	7.10
Reimbursables subtotal		7.10

Invoice total **4,552.10**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
14235	10/23/2013	4,552.10	4,552.10				
	Total	4,552.10	4,552.10	0.00	0.00	0.00	0.00

Classified/Legal Advertising Invoice

The Breeze Legals

2510 DEL PRADO BLVD.

CAPE CORAL, FL

33904

(239) 574-1110

CATALINA AT WINKLER PRESERVE CDD

9530 MARKETPLACE ROAD

SUITE 206

FORT MYERS, FL

10/16/2013 11:10:56AM

33912

No: 93734

Phone: 239 936-0913

Ad No 93734	Customer No: L00993	Start Date 10-16-2013	Stop Date 10-16-2013	Category: Legals		Classification: MISCELLANEOUS		
Order No	Rate: LA	Lines: 92	Words: 258	Inches: 8.94		Cost 46.00	Payments .00	Balance 46.00
Publications ... Runs Breeze Legals ... 1 Online Legals ... 1		Solicitor: SM	Origin: 17	Sales Rep: 3	Credit Card	Credit Card Number	Card Expire	
		<div style="border: 1px solid black; padding: 5px;"><p style="text-align: center;">Identifier</p><p>NOTICE OF RULE DEVELOPMENT BY THE CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT</p><p>In accord with Chapters 120</p></div> <div style="text-align: right; margin-top: 20px;"><p>OCT 22 2013</p><p>Date Rec'd Rizzetta & Co., Inc. _____</p><p>D/M approval <u>mm</u> Date <u>10/23/13</u></p><p>Date entered <u>OCT 23 2013</u></p><p>Fund <u>001</u> GL <u>51300</u> OC <u>4801</u></p><p>Check# _____</p></div>						
		*=Extend Expiration Date						

**CAPE CORAL BREEZE
PUBLISHED CAPE CORAL, FLA**

Affidavit of Publication

State of Florida

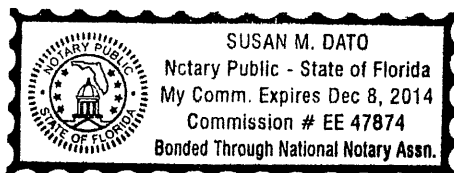
County of Lee

Before the undersigned authority personally appeared Donna Guyer, who on oath says that he/she is the ADVERTISING REPRESENTATIVE of the Cape Coral Breeze newspaper, published at Cape Coral, Lee County, Florida that the attached copy of advertisement, being a Legal Notice, in the matter of Notice of Rule Development by the Catalina at Winkler Preserve Community Development District, as published in said newspaper in the issues, October 16, 2013. Affiant further says that the Cape Coral Breeze is a newspaper published at Cape Coral, said Lee County, Florida and that the said newspaper has heretofore been continuously published in said Lee County, Florida, and has been entered as a second class periodicals matter at the post office in Fort Myers in said Lee County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said Newspaper.

SWORN TO AND SUBSCRIBED before me this
October 16, 2013

Notary Public

Susan M. Dato
93734



**NOTICE OF RULE DEVELOPMENT BY
THE CATALINA AT WINKLER
PRESERVE COMMUNITY
DEVELOPMENT DISTRICT**

In accord with Chapters 120 and 190, Florida Statutes, the Catalina at Winkler Preserve Community Development District ("District") hereby gives notice of its intention to develop new Rules of Procedure to govern the operations of the District.

The Rules of Procedure address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase, including procedure under the Consultants' Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations. Specific legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2012). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 119.07, 189.4221, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.931, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 287.017, 287.055 and 287.084, Florida Statutes (2012), and Ch. 2013-227, Laws of Florida.

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912, or by calling (239) 936-0913.

Molly Syvret
District Manager
Run Date: 10/16/2013
93734

Classified/Legal Advertising Invoice**The Breeze Legals**

2510 DEL PRADO BLVD.

CAPE CORAL, FL

33904

(239) 574-1110

CATALINA AT WINKLER PRESERVE CDD**9530 MARKETPLACE ROAD****SUITE 206****FORT MYERS, FL**

10/22/2013 3:37:02PM

33912**No: 93822****Phone: 239 936-0913**

Ad No 93822	Customer No: L00993	Start Date 10-23-2013	Stop Date 10-23-2013	Category: Legals		Classification: MISCELLANEOUS		
Order No	Rate: LA	Lines: 214	Words: 678	Inches: 20.81		Cost 107.00	Payments .00	Balance 107.00
Publications ... Runs Breeze Legals ... 1 Online Legals ... 1		Solicitor: SM	Origin: 17	Sales Rep: 3	Credit Card	Credit Card Number		Card Expire
		<table border="1"><tr><td>Identifier</td></tr><tr><td>NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT</td></tr></table> <div style="text-align: right; margin-top: 20px;">OCT 25 2013 Date Rec'd Rizzetta & Co., Inc. _____ D/M approval <u>MM2</u> Date <u>10/29/13</u> Date entered _____ Fund <u>001</u> GL <u>51300</u> OC <u>4801</u> Check# _____</div>						
Identifier								
NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT								
*=Extend Expiration Date								

**CAPE CORAL BREEZE
PUBLISHED CAPE CORAL, FLA**

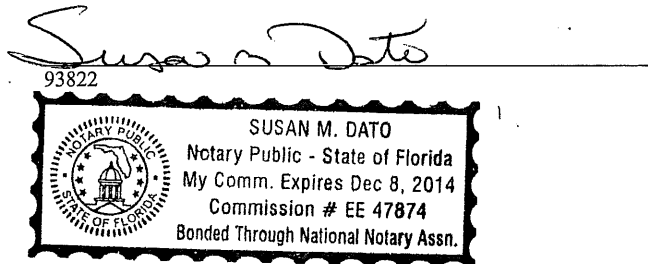
Affidavit of Publication

State of Florida

County of Lee

Before the undersigned authority personally appeared Donna Guyer, who on oath says that he/she is the ADVERTISING REPRESENTATIVE of the Cape Coral Breeze newspaper, published at Cape Coral, Lee County, Florida that the attached copy of advertisement, being a Legal Notice, in the matter of Notice of Rulemaking Regarding the Rules of Procedure of the Catalina at Winkler Preserve Community Development District, as published in said newspaper in the issues, October 23, 2013. Affiant further says that the Cape Coral Breeze is a newspaper published at Cape Coral, said Lee County, Florida and that the said newspaper has heretofore been continuously published in said Lee County, Florida, and has been entered as a second class periodicals matter at the post office in Fort Myers in said Lee County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said Newspaper.


SWORN TO AND SUBSCRIBED before me this
October 23, 2013
Notary Public



**NOTICE OF RULEMAKING
REGARDING THE RULES OF
PROCEDURE OF THE
CATALINA AT WINKLER PRE-
SERVE COMMUNITY DEVELOPMENT DISTRICT**

A public hearing is scheduled and may be conducted by the Board of Supervisors of the Catalina at Winkler Preserve Community Development District on Wednesday, November 20, 2013, at 3:30 p.m. at the office of the District Manager, located at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912.

In accord with Chapters 120 and 190, Florida Statutes, the Catalina at Winkler Preserve Community Development District ("the District") hereby gives the public notice of its intent to adopt its proposed Rules of Procedure.

The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations. Prior notice of rule development was published in The Breeze Newspaper on October 16, 2013.

The Rules of Procedure may address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants, Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

Specific legal authority for the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2012). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 119.07, 189.4221, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.931, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 287.017, 287.055 and 287.084, Florida Statutes (2012), and Ch. 2013-227, Laws of Florida.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice.

IF REQUESTED WITHIN TWENTY-ONE (21) DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW. (IF NOT REQUESTED, THIS HEARING MAY NOT BE HELD):

TIME AND DATE: 3:30 p.m.
November 20, 2013

PLACE: 9530 Marketplace Rd., Ste. 206
Fort Myers, Florida 33912

A request for a public hearing on the District's intent to adopt its proposed Rules of Procedure must be made in writing to the District Manager at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912, and received within twenty-one (21) days after the date of this Notice.

If a public hearing is requested, this public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing held in response to a request for such a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, one or more Supervisors may participate in the public hearing by telephone. At the above location, if a public hearing is requested, there will be present a speaker telephone so that any interested party can physically attend the public hearing at the above location and be fully informed of the discussions taking place either in person or by speaker telephone device.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (239) 936-0913 at least five (5) calendar days

prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912, or by calling (239) 936-0913.

Molly Syvret
District Manager
Run Date: 10/23/13
93822

INVOICE

Catalina at Winkler HOA
12650 Whitehall Drive
Fort Myers, FL 33907

DATE: October 1, 2013
INVOICE # Oct-13
FOR: Electric Service

Bill To:

Catalina @ Winkler Preserve
Rizzetta & Company, Inc
9530 Marketplace Road, Suite 206
Fort Myers, FL 33912

[illegible]



/ 27

12622 5319078466834385894100000

Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:
FPL Care To Share \$ _____

B 5,8 5319 8

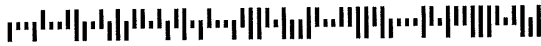
AUTO **R1 1270
1 128886



CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001



Account number	Total amount you owe	New charges due by	Amount enclosed
09846-68343	\$149.85	Oct 18 2013	\$ 149.85

Your electric statement**Account number: 09846-68343**

For: Aug 28 2013 to Sep 27 2013 (30 days)

Customer name: CATALINA AT WINKLER

Service address: 17043 TREMONT ST # AERATOR

Statement date: Sep 27 2013

Next meter reading: Oct 28 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
151.36	151.36 CR	0.00	0.00	149.85	\$149.85	Oct 18 2013

Meter reading - Meter ACD7513

Current reading 22129
Previous reading - 20751
kWh used 1378

Energy usage

	Last Year	This Year
kWh this month	1022	1378
Service days	28	30
kWh per day	37	46

****The electric service amount includes the following charges:**

Customer charge: \$7.13
Fuel: \$40.73
(\$0.029560 per kWh)
Non-fuel: \$83.39
(\$0.060510 per kWh)

**Enroll now in Budget Billing by paying \$126.22
in 1 payment by the due date instead of \$149.85
Your bill will be about the same each month & year-round.
Learn more at: www.FPL.com/companybb.**

Amount of your last bill 151.36
Payment received - Thank you 151.36 CR
Balance before new charges \$0.00

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount	131.25**
Storm charge	1.32
Gross receipts tax	3.40
Franchise charge	4.08
Florida sales tax	9.80
Total new charges	\$149.85

Total amount you owe**\$149.85**

- Payments received after **October 18, 2013** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- Get more than a bird's eye view of your energy use and save your business up to \$500 a year. We can help you change the current way you use energy and make your bill even lower at: FPL.com/PetProject

OCT 01 2013

Date Rec'd Rizzetta & Co., Inc.

D/M approval *mra* Date *10/2/13*

Date entered OCT 01 2013

Fund 001 53100 004301

Check/

Please have your account number ready when contacting FPL.

Customer service: 1-800-375-2434

Outside Florida: 1-800-226-3545

To report power outages: 1-800-4OUTAGE (468-8243)

Hearing/speech impaired: 711 (Relay Service)



2 128886

/ 27

5319112460834888515000000

Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:
FPL Care To Share \$ _____

B 5,8 5319 8

CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001

Account number	Total amount you owe	New charges due by	Amount enclosed
11246-08348	\$51.58	Oct 18 2013	\$ 51.58

Your electric statement

For: Aug 28 2013 to Sep 27 2013 (30 days)

Customer name: CATALINA AT WINKLER

Service address: 17213 WRIGLEY CIR # AERATOR

Account number: 11246-08348

Statement date: Sep 27 2013

Next meter reading: Oct 28 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
9.82	9.82 CR	0.00	0.00	51.58	\$51.58	Oct 18 2013

Meter reading - Meter ACD7626

Current reading 09046
Previous reading - 08623
kWh used 423

Energy usage

	Last Year	This Year
kWh this month	436	423
Service days	28	30
kWh per day	16	14

****The electric service amount includes the following charges:**

Customer charge: \$7.13
Fuel: \$12.50
(\$0.029560 per kWh)
Non-fuel: \$25.59
(\$0.060510 per kWh)

Amount of your last bill 9.82
Payment received - Thank you 9.82 CR
Balance before new charges \$0.00

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount	45.22**
Storm charge	0.41
Gross receipts tax	1.17
Franchise charge	1.40
Florida sales tax	3.38
Total new charges	\$51.58

Total amount you owe \$51.58

- Payments received after **October 18, 2013** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- Get more than a bird's eye view of your energy use and save your business up to \$500 a year. We can help you change the current way you use energy and make your bill even lower at: FPL.com/PetProject

OCT 01 2013

Rate Rec'd Pizzetta & Co., Inc.

WM approval

Date 10/2/13

Date entered OCT 01 2013

Fund 001 of 53100 004301

Thank!!

Please have your account number ready when contacting FPL.

Customer service: 1-800-375-2434

Outside Florida: 1-800-226-3545

To report power outages: 1-800-4OUTAGE (468-8243)

Hearing/speech impaired: 711 (Relay Service)

Online at:

www.FPL.com

Hopping Green & Sams

Attorneys and Counselors

119 S. Monroe Street, Ste. 300
P.O. Box 6526
Tallahassee, FL 32314
850.222.7500

STATEMENT

September 26, 2013

Catalina at Winkler Preserve CDD
c/o Rizzetta & Company, Inc
9530 Marketplace Road
Suite 206
Fort Myers, FL 33912

Bill Number 72636
Billed through 08/31/2013

General Counsel/Monthly Meeting
CATCDD 00001 JLE

FOR PROFESSIONAL SERVICES RENDERED

08/02/13	CBO	Review and revise proposed rules of procedure; review and revise notices and other documents relating to rulemaking process; research issue regarding required notices; confer with Hardwick regarding same.	0.90 hrs
08/05/13	KEM	Prepare memorandum and resolution regarding opportunity to be heard.	0.10 hrs
08/06/13	CBO	Review policy regarding right to speak; draft correspondence regarding rules of procedure and right to speak.	0.30 hrs
08/14/13	CBO	Confer with district staff regarding adoption of rules of procedure.	0.20 hrs
08/20/13	CBO	Review agenda package for August board meeting; prepare agenda memorandum for same.	1.40 hrs
08/21/13	CBO	Confer with Hardwick regarding engineering agreements; prepare for and attend by teleconference August board meeting; follow up on items from same.	3.70 hrs
Total fees for this matter			\$1,149.50

DISBURSEMENTS

Long Distance	0.15
Total disbursements for this matter	\$0.15

MATTER SUMMARY

Bowen, Chuck	6.50 hrs	175 /hr	\$1,137.50
Ibarra, Katherine E. - Paralegal	0.10 hrs	120 /hr	\$12.00

TOTAL FEES	\$1,149.50
TOTAL DISBURSEMENTS	\$0.15

TOTAL CHARGES FOR THIS MATTER

\$1,149.65

BILLING SUMMARY

=====

Bowen, Chuck	6.50 hrs	175 /hr	\$1,137.50
Ibarra, Katherine E. - Paralegal	0.10 hrs	120 /hr	\$12.00

TOTAL FEES	\$1,149.50
TOTAL DISBURSEMENTS	\$0.15

TOTAL CHARGES FOR THIS BILL	\$1,149.65
------------------------------------	-------------------

Please include the bill number on your check.

RIZZETTA & COMPANY, INC.

5020 W Linebaugh Avenue

Suite 200

Tampa, FL 33624

Invoice

DATE	INVOICE NO.
10/1/2013	15624

BILL TO
CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT 3434 Colwell Avenue, Suite 200 Tampa, Florida 33614

TERMS	PROJECT
Due Upon Rec't	327 - CDD

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
DM ADMIN ACTG FC	PROFESSIONAL FEES:			
	District Management Services		1,820.00	1,820.00
	Administrative Services		490.00	490.00
	Accounting Services		962.50	962.50
	Financial Consulting Services		85.00	85.00
	Services for the period October 1, 2013 - October 31, 2013			
<div>SEP 27 2013</div> <div>Date Rec'd Rizzetta & Co., Inc. _____</div> <div>C/M approval <u>MMZ</u> Date <u>10/2/13</u></div> <div>Date entered <u>OCT 01 2013</u></div> <div>Fund <u>001</u> GL <u>51300</u> OC <u>3101</u></div> <div>Check# <u>3100</u></div> <div><u>3201</u></div> <div><u>3111</u></div>				

Total**\$3,357.50**

RIZZETTA & COMPANY, INC.

5020 W Linebaugh Avenue

Suite 200

Tampa, FL 33624

Invoice

DATE	INVOICE NO.
10/15/2013	15718

BILL TO

CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT DISTRICT
3434 Colwell Avenue, Suite 200
Tampa, Florida 33614

TERMS	PROJECT
Due Upon Rec't	327 - CDD

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
AR	<p>PROFESSIONAL FEES:</p> <p>Assessment Roll</p> <p>Services related to the Assessment Roll preparation for 2013 - 2014 fiscal year.</p>		5,000.00	5,000.00

RECEIVED

OCT 15 2013

Catalina at Winkler Preserve, Inc.

Attest: mm Date 10/23/13We entered: OCT 23 2013In: 001 GL 51300 OC 3111

Catalina

Total**\$5,000.00**

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

Operation and Maintenance Expenditures November 2013 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from November 1, 2013 through November 30, 2013. This does not include expenditures previously approved by the Board.

The total items being presented: **\$4,486.55**

Approval of Expenditures:

_____ Chairman

_____ Vice Chairman

_____ Assistant Secretary

Catalina at Winkler Community Development District

Paid Operation & Maintenance Expenses

November 1, 2013 Through November 30, 2013

10101 - Cash-Operating Account

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Allstate Resource Management, Inc.	0749	98192	Lake & Mitigation Maintenance 11/13	\$ 450.00
Breeze Corporation	0750	93987	Acct # L00993 Legal Advertising 11/13	\$ 49.50
Catalina at Winkler Homeowner's Association, Inc.	0751	Nov-13	Reimb Electric Util to CDD Aerator Sys 11/13	\$ 140.00
Department of Economic Opportunity	0746	29148	Special District Fee FY 2013/2014	\$ 175.00
Florida Power and Light Company	0747	09846-68343 10/13	17043 Tremont St #Aerator 10/13	\$ 153.60
Florida Power and Light Company	0747	11246-08348 10/13	17213 Wrigley Cir #Aerator 10/13	\$ 73.95
Hopping Green & Sams	0752	73156	General/Monthly Legal Services 09/13	\$ 87.00
Rizzetta & Company, Inc.	0748	15780	District Management Fees 11/13	\$ 3,357.50
Report Total				<u>\$ 4,486.55</u>

 **Allstate**
RESOURCE MANAGEMENT
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Invoice

98192

Bill To

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Contact Us

info@allstatemanagement.com

Phone: (954) 382-9766

Fax: (954) 382-9770

Please retain this portion for your records

Due Date 11/1/2013

Terms

Account # 1728

PO #

Description

Lake Management Services
Lake Management Services-Littoral Shelves

11/13

Amount Due

325.00

125.00

Date Rec'd Rizzetta & Co., Inc. OCT 21 2013

D/M approval MR Date 10/23/13

Date entered OCT 23 2013

Fund 001 GL 53800.00 4665

Check/ll _____

Total

\$450.00

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Invoice # 98192

Account # 1728

ALLSTATE RESOURCE MANAGEMENT, INC.
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Amount Enclosed: \$ 450.00

Please return this portion with your payment

Classified/Legal Advertising Invoice

The Breeze Legals

2510 DEL PRADO BLVD.

CAPE CORAL, FL

33904

(239) 574-1110

CATALINA AT WINKLER PRESERVE CDD

9530 MARKETPLACE ROAD

SUITE 206

FORT MYERS, FL

11/11/2013 3:55:27PM

33912

No: 93987

Phone: 239 936-0913

Ad No 93987	Customer No: L00993	Start Date 11-13-2013	Stop Date 11-13-2013	Category: Legals		Classification: MISCELLANEOUS		
Order No	Rate: LA	Lines: 99	Words: 325	Inches: 9.63		Cost 49.50	Payments .00	Balance 49.50
Publications ... Runs Breeze Legals ... 1 Online Legals ... 1		Solicitor: SM	Origin: 17	Sales Rep: 3	Credit Card	Credit Card Number		Card Expire
		<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">Identifier</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">NOTICE OF PUBLIC MEETING DATES CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT</div> <div style="text-align: right; margin-bottom: 10px;">NOV 18 2013</div> <div>Date Rec'd Pizzetta & Co., Inc. _____</div> <div>D/M approval <u>mm</u> Date <u>11/24/13</u></div> <div>Date entered <u>NOV 19 2013</u></div> <div>Fund <u>001</u> GL <u>51300</u> OC <u>4801</u></div> <div>Check# _____</div>						
*=Extend Expiration Date								

**CAPE CORAL BREEZE
PUBLISHED CAPE CORAL, FLA**

Affidavit of Publication

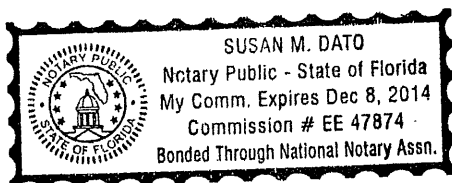
State of Florida

County of Lee

Before the undersigned authority personally appeared Donna Guyer, who on oath says that he/she is the ADVERTISING REPRESENTATIVE of the Cape Coral Breeze newspaper, published at Cape Coral, Lee County, Florida that the attached copy of advertisement, being a Legal Notice, in the matter of Notice of Public Meeting Dates Catalina at Winkler Preserve Community Development District, as published in said newspaper in the issues, November 13, 2013. Affiant further says that the Cape Coral Breeze is a newspaper published at Cape Coral, said Lee County, Florida and that the said newspaper has heretofore been continuously published in said Lee County, Florida, and has been entered as a second class periodicals matter at the post office in Fort Myers in said Lee County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said Newspaper.


SWORN TO AND SUBSCRIBED before me this
November 13, 2013
Notary Public

93987



**NOTICE OF PUBLIC MEETING
DATES
CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT
DISTRICT**

The Board of Supervisors of Catalina at Winkler Preserve Community Development District will hold their meetings for the Fiscal Year 2013/2014 on the dates as follows:

November 20, 2013
February 19, 2014
May 21, 2014
August 20, 2014

All meetings will be held at the office of Rizzetta & Company, Inc., located at 9530 Marketplace Road, Suite 206, Fort Myers, FL 33912 will convene at 3:30 p.m. A copy of the agenda for this meeting may be obtained from the District Manager, during normal business hours, at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912 or by calling (239) 936-0913.

The meetings are open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. There may be occasions when one or more Supervisors will participate by telephone. At the above location there will be present a speaker telephone so that any person can attend the meeting at the above location and be fully informed of the discussions taking place either in person or by telephone communication.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (239) 936-0913, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1(800) 955-8770, who can aid you in contacting the District Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Molly Syvret
District Manager
Run Date 11/13/13
93987

INVOICE

Catalina at Winkler
12650 Whitehall Drive
Fort Myers, FL 33907

DATE: November 1, 2013
INVOICE # Nov-13
FOR: Electric Service

Bill To:

Catalina @ Winkler Preserve
Rizzetta & Company, Inc
9530 Marketplace Road, Suite 206
Fort Myers, FL 33912

DESCRIPTION	AMOUNT
Nov - Areator electrial service running of pool electric at Catalina	\$140.00
<p>Date Rec'd Rizzetta & Co., Inc. <u>NOV 18 2013</u> D/M approval <u>mrs</u> Date <u>11/20/13</u> Date entered <u>NOV 19 2013</u> Fund <u>001</u> GL <u>53100</u> OC <u>4301</u> Check# _____</p> <p>Please make check payable to: Catalina at Winkler 12650 Whitehall Drive Ft Myers, FL 33907</p>	
TOTAL	\$140.00

Instructions: In accordance with Sections 189.412 and 189.427, F.S., and Chapter 73C-24, F.A.C., please remit the fee due payable to the Department of Economic Opportunity OR complete the Zero Annual Fee Certification Section, as appropriate. In addition, review the information below about the district and update as necessary. Provide backup documentation if the district's name or status has changed. By the postmarked due date, mail the payment and this signed form to the Department of Economic Opportunity, Office of Financial Mgmt., 107 E. Madison Street, MSC 120, Tallahassee, Florida 32399-4124. Direct questions to (850) 717-8430.

ANNUAL FEE: \$175.00 LATE FEE: \$0.00 RECEIVED: \$0.00 FEE DUE, POSTMARKED BY 12/03/2013: **\$175.00**

District's Name, Registered Agent & Office*:

Catalina At Winkler Preserve Community Development District
Mr. William Rizzetta
3434 Colwell Avenue, Suite 200
Tampa, FL 33614

Telephone: (813) 933-5571
Fax: (813) 935-6212
Status*: Independent
Creation Document: On File
Map: On File
Last Update: 10/29/2012

Website:

E-mail: brizzetta@rizzetta.com

County(ies): Lee

Local Governing Authority*: Lee County

Function(s)*: Community Development

Date Established: 09/19/2005

Creation Documents*: County Ordinance 05-16

Statutory Authority*: Chapter 190, Florida Statutes

Board Selection*: Elected

Authority to Issue Bonds*: Yes

Revenue Source*: Assessments

***Explanations**

Registered Agent: The person designated by the special district to accept due process on behalf of the special district

Status: Independent or Dependent - see Section 189.403, F.S.

Local Governing Authority: The governing body of a unit of local general-purpose government

Functions: The function/purpose of the special district

Creation Documents: Ordinance, Resolution, Statute, Special Act, Court Decree, Interlocal Agreement, etc.

Statutory Authority: The Florida Statute governing the function of the special district

Board Selection: Appointed, Appointed/Elected, Elected, Governor Appoints, Local Governing Authority Appoints, Same as Local Governing Authority, Similar to Local Governing Authority, Other

Authority to Issue Bonds: Yes or No

Revenue Sources: Ad Valorem, Agreement, Assessments, Bond Issuer Fees, Co., Donations, Fed, Fees, Other, Investments, Grants, Municipality, Non-Ad Valorem, Priv. Enterprise, Sales Surtax, Sales/Leases, State, TIF, Tolls, None

CERTIFICATION: I, the undersigned registered agent, do hereby certify that the information above is accurate and complete as of this date. It does _____ or does not _____ need to be changed.

Registered Agent's Signature: William F. Rizzetta Date: _____

ZERO ANNUAL FEE CERTIFICATION SECTION - If eligible, the special district may request a zero annual fee instead of making a payment by having the registered agent certify to the following:

1. This special district is not a component unit of a general purpose local government as defined in the Governmental Accounting Standards Board's Statement No. 14, issued in June 1991 effective after December 15, 1992, as amended.
2. This special district is in compliance with the reporting requirements of the Department of Financial Services.
3. This special district reported \$3,000.00 or less in annual revenues to the Department of Financial Services on its Annual Financial Report for Fiscal Year 2011/2012 (special districts created after that fiscal year must attach a current income statement verifying \$3,000.00 or less in revenues for the current fiscal year).
4. This certification will be returned to the Department at the address above postmarked by 12/03/2013 and,
5. This special district understands that if the Department determines any of these items to be inaccurate, this special district must pay the appropriate fee when invoiced. The Department will verify these statements within 30 days of receiving this form.

I, the undersigned registered agent, do hereby certify that to the best of my knowledge and belief, ALL of the above statements contained herein and on any attachments hereto are true, correct, complete, and made in good faith as of this date. I understand that any information I give may be investigated and verified with the Department of Financial Services and the Auditor General.

SIGN ONLY IF ELIGIBLE FOR AND REQUESTING A ZERO ANNUAL FEE:

Registered Agent's Signature: _____ Date: _____

Department Use Only: _____ Verified and Approved _____ Denied - Reason(s): _____

ETACH AND RETURN THIS PORTION WITH YOUR PAYMENT.

DEO-SDIP-001 Effective 10/01/2011

ETACH AND KEEP THIS PORTION FOR YOUR RECORDS.

Catalina At Winkler Preserve Community Development District	ANNUAL FEE \$175.00	LATE FEE \$0.00	RECEIVED \$0.00	FEE DUE \$175.00
---	------------------------	--------------------	--------------------	---------------------

NOV 04 2013
Date Received: _____
DM approval: MR Date: 11/04/13
Date entered: NOV 06 2013
Fund 001 of 51300 00 4902
Checked: _____



/ 27

12760 5319098466834340635100000

Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:
FPL Care To Share \$ _____

B 5,7,8 5319 4

AUTO **R1 1270
1 116741



CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001



Account number	Total amount you owe	New charges due by	Amount enclosed
09846-68343	\$153.60	Nov 18 2013	\$ 153.60

Your electric statement

For: Sep 27 2013 to Oct 28 2013 (31 days)

Customer name: CATALINA AT WINKLER

Service address: 17043 TREMONT ST # AERATOR

Account number: 09846-68343

Statement date: Oct 28 2013
Next meter reading: Nov 25 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
149.85	149.85 CR	0.00	0.00	153.60	\$153.60	Nov 18 2013

Meter reading - Meter ACD7513

Current reading 23522
Previous reading - 22129
kWh used 1393

Energy usage

	Last Year	This Year
kWh this month	1208	1393
Service days	33	31
kWh per day	37	45

****The electric service amount includes the following charges:**

Customer charge: \$7.13
Fuel: \$41.18
(\$0.029560 per kWh)
Non-fuel: \$84.29
(\$0.060510 per kWh)

Enroll now in Budget Billing by paying \$127.60 in 1 payment by the due date instead of \$153.60
Your bill will be about the same each month & year-round.
Learn more at: www.FPL.com/companybb.

Amount of your last bill 149.85
Payment received - Thank you 149.85 CR
Balance before new charges \$0.00

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount 132.60**
Storm charge 1.34
Gross receipts tax 3.43
Franchise charge 6.18
Florida sales tax 10.05
Total new charges \$153.60

Total amount you owe**\$153.60**

- Payments received after **November 18, 2013** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.

NOV 04 2013
Date received Pizzetti & Co., Inc.
O/M approval: *MAZ* Date: 11/6/13
Date entered: NOV 06 2013
Fund: 001 GR 53100 DC 4301
Thank!!

Please have your account number ready when contacting FPL.
Customer service: 1-800-375-2434
Outside Florida: 1-800-226-3545
To report power outages: 1-800-4OUTAGE (468-8243)
Hearing/speech impaired: 711 (Relay Service)





FPL

2 116741

/ 27

5640 5319112460834815937000000

Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:

FPL Care To Share

\$ _____

B 5,7,8 5319 1

CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001

Account number	Total amount you owe	New charges due by	Amount enclosed
11246-08348	\$73.95	Nov 18 2013	\$ 73.95

Your electric statement

For: Sep 27 2013 to Oct 28 2013 (31 days)

Customer name: CATALINA AT WINKLER

Service address: 17213 WRIGLEY CIR # AERATOR

Account number: 11246-08348

Statement date: Oct 28 2013

Next meter reading: Nov 25 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
51.58	51.58 CR	0.00	0.00	73.95	\$73.95	Nov 18 2013

Meter reading - Meter ACD7626

Current reading 09676
Previous reading - 09046
kWh used 630

Energy usage

	Last Year	This Year
kWh this month	619	630
Service days	33	31
kWh per day	19	20

**The electric service amount includes the following charges:

Customer charge: \$7.13
Fuel: \$18.62
(\$0.029560 per kWh)
Non-fuel: \$38.13
(\$0.060510 per kWh)

**Enroll now in Budget Billing by paying \$56.40
in 1 payment by the due date instead of \$73.95**
Your bill will be about the same each month & year-round.
Learn more at: www.FPL.com/companybb.

Amount of your last bill 51.58
Payment received - Thank you 51.58 CR
Balance before new charges \$0.00

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount 63.88**
Storm charge 0.60
Gross receipts tax 1.65
Franchise charge 2.98
Florida sales tax 4.84
Total new charges \$73.95

Total amount you owe \$73.95

- Payments received after **November 18, 2013** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.

NOV 04 2013
O/M approval mm Date 11/6/13
Date entered NOV 06 2013
Fund 001 GL 53100 00 4301
Check# _____



FPL

Please have your account number ready when contacting FPL.

Customer service: 1-800-375-2434

Outside Florida: 1-800-226-3545

To report power outages: 1-800-4OUTAGE (468-8243)

Hearing/speech impaired: 711 (Relay Service)

Online at: www.FPL.com

Hopping Green & Sams

Attorneys and Counselors

119 S. Monroe Street, Ste. 300
P.O. Box 6526
Tallahassee, FL 32314
850.222.7500

STATEMENT

October 31, 2013

Catalina at Winkler Preserve CDD
c/o Rizzetta & Company, Inc
9530 Marketplace Road
Suite 206
Fort Myers, FL 33912

Bill Number 73156
Billed through 09/30/2013

General Counsel/Monthly Meeting
CATCDD 00001 JLE

Date Rec'd Rizzetta & Co. NOV 11 2013
D/M approval *mm* Date 11/14/13
Date entered NOV 12 2013
Fund 001 0151400 003107
Check#

FOR PROFESSIONAL SERVICES RENDERED

09/10/13	WKB	Confer with Childs regarding MS4 memorandum; email CDD attorneys regarding same.	0.10 hrs
09/30/13	DCH	Discuss MS4 issue; draft memorandum regarding same.	0.30 hrs
Total fees for this matter			\$87.00

MATTER SUMMARY

Childs, David	0.30 hrs	195 /hr	\$58.50
Borkowski, Winston K.	0.10 hrs	285 /hr	\$28.50

TOTAL FEES \$87.00

TOTAL CHARGES FOR THIS MATTER

\$87.00

BILLING SUMMARY

Childs, David	0.30 hrs	195 /hr	\$58.50
Borkowski, Winston K.	0.10 hrs	285 /hr	\$28.50

TOTAL FEES \$87.00

TOTAL CHARGES FOR THIS BILL

\$87.00

Please include the bill number on your check.

Tampa, FL 33624
5020 W Linebaugh Avenue

DATE	INVOICE NO.
11/1/2013	15780

**CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT DISTRICT**
3434 Colwell Avenue, Suite 200
Tampa, Florida 33614

TERMS	PROJECT
Due Upon Rec't	327 - CDD

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
	PROFESSIONAL FEES:			
DM	District Management Services		1,820.00	1,820.00
ADMIN	Administrative Services		490.00	490.00
ACTG	Accounting Services		962.50	962.50
FC	Financial Consulting Services		85.00	85.00
	Services for the period November 1, 2013 - November 30, 2013			
	<p>RECEIVED</p> <p>OCT 29 2013</p> <p>Date Hector Hizzetta & Co., Inc. _____</p> <p>City/State approval <u>MA</u> Date <u>10/29/13</u></p> <p>Date entered <u>OCT 29 2013</u></p> <p>Fund <u>001</u> GL <u>51300</u> <u>003101</u></p> <p>Project # <u>3100</u></p> <p><u>3201</u></p> <p><u>3111</u></p>			
			Total	\$3,357.50

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

Operation and Maintenance Expenditures December 2013 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from December 1, 2013 through December 31, 2013. This does not include expenditures previously approved by the Board.

The total items being presented: **\$6,935.94**

Approval of Expenditures:

_____ Chairman

_____ Vice Chairman

_____ Assistant Secretary

Catalina at Winkler Community Development District

Paid Operation & Maintenance Expenses

December 1, 2013 Through December 31, 2013

10101 - Cash-Operating Account

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Barraco and Associates, Inc.	0756	14333	Engineering Services 10/13	\$ 2,085.00
Florida Power and Light Company	0753	09846-68343 11/13	17043 Tremont St #Aerator 11/13	\$ 138.77
Florida Power and Light Company	0753	11246-08348 11/13	17213 Wrigley Cir #Aerator 11/13	\$ 67.67
Hopping Green & Sams	0757	73529	General/Monthly Legal Services 10/13	\$ 105.00
Lee County Property Appraiser	0754	005221	2013 Non Ad Valorem Assessment Roll	\$ 282.00
Mitchell & Stark Construction Co., Inc.	0759	14109	Stormwater System Maintenance	\$ 800.00
Prager & Co., LLC	0758	4895	Amortization Schedule 11/01/13	\$ 100.00
Rizzetta & Company, Inc.	0755	15887	District Management Fees 12/13	\$ 3,357.50
Report Total				<u>\$ 6,935.94</u>

Barraco and Associates

2271 McGregor Boulevard, Suite 100
Fort Myers, FL 33901

Catalina @ Winkler Preserve CDD
9530 Marketplace Rd
Suite 206
Fort Myers, FL 33912

Invoice number 14333
Date 11/30/2013

Project 22271 Catalina @ Winkler CDD

Description	Contract Amount	Percent Complete	Billed To Date	Less Previous Billing	Amount Due This Billing
01 (TM) General Consultation	4,000.00	919.75	36,790.00	35,305.00	1,485.00
02 (LS) Engineer's Report	6,000.00	100.00	6,000.00	6,000.00	0.00
03 (TM) Document Review	4,000.00	170.38	6,815.00	6,815.00	0.00
04 (LS) Meeting Representation - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
05 (LS) SOP - Addendum 1	3,500.00	100.00	3,500.00	3,500.00	0.00
06 (LS) TMDL Prior Rpt Monitoring - Addendum 1	3,000.00	100.00	3,000.00	3,000.00	0.00
07 (LS) Inspection & docum. of Fac. - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
08 (LS) Proactive Discharge Insp - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
09 (LS) Annual Report - Addendum 1	2,500.00	100.00	2,500.00	2,500.00	0.00
10 (LS) Meeting Representation - Add 2	1,500.00	80.00	1,200.00	600.00	600.00
11 (LS) Inspection & Docum of Fac. - Add 2	1,500.00	100.00	1,500.00	1,500.00	0.00
12 (LS) Proactive Illicit Disch. Inspections - Add 2	1,500.00	100.00	1,500.00	1,500.00	0.00
13 (LS) Annual Report - Add 2	2,500.00	0.00	0.00	0.00	0.00
14 (TM) Out of Scope Services	0.00	0.00	13,458.50	13,458.50	0.00
15 (TM) Reimbursables	0.00	0.00	157.41	157.41	0.00
Total	34,500.00	234.55	80,920.91	78,835.91	2,085.00

01 (TM) General Consultation

	Hours	Rate	Billed Amount
Project Engineer	1.50	110.00	165.00
<i>Review plans and survey work for endwall S-55 interconnect.</i>			
Senior Construction Observer	6.00	90.00	540.00
<i>Review stormdrain issue.</i>			
<i>Contact contractor for bid on storm drain issue.</i>			
<i>Structure S56 bid.</i>			
Senior Professional Engineer	4.00	195.00	780.00
<i>Review drainage issue and make recommendations.</i>			
<i>Review pipe obstruction.</i>			
subtotal	11.50		1,485.00
Phase subtotal			1,485.00
Invoice total			2,085.00

Catalina @ Winkler Preserve CDD
Project 22271 Catalina @ Winkler CDD

Invoice number 14333
Date 11/30/2013

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
14333	11/30/2013	2,085.00	2,085.00				
	Total	2,085.00	2,085.00	0.00	0.00	0.00	0.00

RECEIVED
DEC - 9 2013

Date Rec'd Rizzetta & Co., Inc.

D/M approval mm Date 12/10/13

Date entered 12/9/13

Fund 001 GL 51300 OC 3103

Check# _____



/ 27

12901 5319098466834347783100000

Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:

FPL Care To Share

\$ _____

B 5,8 5319 4

AUTO **R1 1270
1 108132



CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001



Account number	Total amount you owe	New charges due by	Amount enclosed
09846-68343	\$138.77	Dec 16 2013	\$ 138.77

Your electric statement

For: Oct 28 2013 to Nov 25 2013 (28 days)

Customer name: CATALINA AT WINKLER

Service address: 17043 TREMONT ST # AERATOR

Account number: 09846-68343

Statement date: Nov 25 2013

Next meter reading: Dec 27 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
153.60	153.60 CR	0.00	0.00	138.77	\$138.77	Dec 16 2013

Meter reading - Meter ACD7513

Current reading 24773
Previous reading - 23522
kWh used 1251

Energy usage

	Last Year	This Year
kWh this month	1067	1251
Service days	30	28
kWh per day	36	45

**The electric service amount includes the following charges:

Customer charge: \$7.13
Fuel: \$36.98
(\$0.029560 per kWh)
Non-fuel: \$75.70
(\$0.060510 per kWh)

Enroll now in Budget Billing by paying \$129.01 in 1 payment by the due date instead of \$138.77
Your bill will be about the same each month & year-round.
Learn more at: www.FPL.com/companybb.

Amount of your last bill 153.60
Payment received - Thank you 153.60 CR
Balance before new charges \$0.00

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount	119.81**
Storm charge	1.20
Gross receipts tax	3.10
Franchise charge	5.58
Florida sales tax	9.08
Total new charges	\$138.77

Total amount you owe

\$138.77

- Payments received after **December 16, 2013** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- The number of days included in your bill can vary month to month. So even if you use the same amount of energy per day, your bill may be higher next month due to greater number of service days. Visit www.FPL.com for more information.

DEC 03 2013
M/M approval *MDZ* Date *12/4/13*
Date entered *DEC 03 2013*
Fund *001* *53100* *004301*

Please have your account number ready when contacting FPL.
Customer service: 1-800-375-2434
Outside Florida: 1-800-226-3545
To report power outages: 1-800-4OUTAGE (468-8243)
Hearing/speech impaired: 711 (Relay Service)
Online at: www.FPL.com



Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:

FPL Care To Share

\$ _____

B 5,8 5319

CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001

Account number	Total amount you owe	New charges due by	Amount enclosed
11246-08348	\$67.67	Dec 16 2013	\$ 67.67

Your electric statement

Account number: 11246-08348

For: Oct 28 2013 to Nov 25 2013 (28 days)

Customer name: CATALINA AT WINKLER

Statement date: Nov 25 2013

Service address: 17213 WRIGLEY CIR # AERATOR

Next meter reading: Dec 27 2013

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
73.95	73.95 CR	0.00	0.00	67.67	\$67.67	Dec 16 2013

Meter reading - Meter ACD7626

Current reading 10246
Previous reading - 09676
kWh used 570

Energy usage

	Last Year	This Year
kWh this month	539	570
Service days	30	28
kWh per day	18	20

**Enroll now in Budget Billing by paying \$56.58
in 1 payment by the due date instead of \$67.67**
Your bill will be about the same each month & year-round.
Learn more at: www.FPL.com/companybb.

**The electric service amount includes the following charges:

Customer charge: \$7.13
Fuel: \$16.85
(\$0.029560 per kWh)
Non-fuel: \$34.49
(\$0.060510 per kWh)

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount 58.47**
Storm charge 0.54
Gross receipts tax 1.51
Franchise charge 2.72
Florida sales tax 4.43

Total new charges

\$67.67

Total amount you owe

\$67.67

- Payments received after **December 16, 2013** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- The number of days included in your bill can vary month to month. So even if you use the same amount of energy per day, your bill may be higher next month due to greater number of service days. Visit www.FPL.com for more information.

DEC 03 2013

Are not a FPL customer

/M approval *mm* Date *12/4/13*

Date entered DEC 03 2013

Fund 001 GL 53100 OC 4301

(Check)

Please have your account number ready when contacting FPL.
Customer service: 1-800-375-2434
Outside Florida: 1-800-226-3545
To report power outages: 1-800-4OUTAGE (468-8243)
Hearing/speech impaired: 711 (Relay Service)
Online at: www.FPL.com

Hopping Green & Sams

Attorneys and Counselors

119 S. Monroe Street, Ste. 300
P.O. Box 6526
Tallahassee, FL 32314
850.222.7500

STATEMENT

November 26, 2013

RECEIVED
DEC - 9 2013

Catalina at Winkler Preserve CDD
c/o Rizzetta & Company, Inc
9530 Marketplace Road
Suite 206
Fort Myers, FL 33912

Bill Number 73529
Billed through 10/31/2013

Date Rec'd Rizzetta & Co., Inc. _____
D/M approval mm Date 12/10/13
Date entered 12/9/13
Fund 001 GL 514000C 3107
Check# _____

General Counsel/Monthly Meeting
CATCDD 00001 JLE

FOR PROFESSIONAL SERVICES RENDERED

10/01/13	CBO	Follow-up on notices of rulemaking and rule development for adoption of new rules of procedure.	0.20 hrs
10/02/13	CBO	Revise notices of rulemaking and rule development.	0.30 hrs
10/17/13	CBO	Review advertising request for rulemaking notices.	0.10 hrs
Total fees for this matter			\$105.00

MATTER SUMMARY

Bowen, Chuck	0.60 hrs	175 /hr	\$105.00
TOTAL FEES			\$105.00
TOTAL CHARGES FOR THIS MATTER			<u>\$105.00</u>

BILLING SUMMARY

Bowen, Chuck	0.60 hrs	175 /hr	\$105.00
TOTAL FEES			\$105.00
TOTAL CHARGES FOR THIS BILL			<u>\$105.00</u>

Please include the bill number on your check.



STATE OF FLORIDA
LEE COUNTY PROPERTY APPRAISER
KEN NETH M. WILKINSON, C.F.A.



Mailing Address:
P.O. Box 1546
Fort Myers, Florida 33902-1546

Physical Address:
2480 Thompson Street
Fort Myers, Florida 33901-3074

INVOICE

BILL TO

CATALINA AT WINKLER PRESERVE CDD
Rizzetta & Co, Inc
3434 Colwell Ave, Suite 200
Tampa, FL 33614

Date: 11/15/2013
Invoice Number: 005221
Customer ID: 000259
Terms: Due Upon Receipt
Tax Roll Mgr: Nanci L. Erp, CFE

District Authority: CATALINA AT WINKLER PRESERVE CDD
Pursuant to Resolution: 2013-08
Dated: August 21, 2013

DESCRIPTION	QUANTITY	UNIT DESC.	RATE	EXT. PRICE
2013 Non Ad Valorem Roll	282.00	Parcel	1.00	282.00

NOV 27 2013
Date Rec'd Rizzetta & Co, Inc.
D/M approval *mm* Date *12/4/13*
Date entered *DEC 03 2013*
Fund *001* *51300* *3108*
Check#

Please make check payable to Lee County Property Appraiser

Remit To:
Lee County Property Appraisers Office
Attn: Accounts Receivable - 4th Floor
P.O. Box 1546
Fort Myers, FL 33902

TOTAL:

282.00

Mitchell & Stark Construction Co., Inc.

Invoice

6001 Shirley Street
Naples, Florida 34109

239-566-7865

DATE: 12/4/2013

ORDER NO.

INVOICE # 14109

TERMS: UPON RECEIPT
PROJECT MANAGER MITCH TRANT

Bill To:

CATALINA @ WINKLER PRESERVE CDD
RIZZETTA & COMPANY INC.
9530 MARKET PLACE BLVD.
SUITE 206
FT. MYERS, FLORIDA 33912

For:

CATALINE ISLES FKA WINKLER PRESERVE

ATT: MOLLY A SYVRET
DISTRICT MANAGER

Comments or Special Instructions: WORK PERFORMED: REMOVED EXISTING BUCKHEAD
FROM BOX #5-56 EAST INVERT

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
5 HRS	2 MEN AND DIVE GEAR	\$ 160.00	\$ 800.00
<div>RECEIVED DEC 11 2013 Date Rec'd Rizzetta & Co., Inc. BY: <u> </u> D/M approval <u> </u> Date <u> </u> Date entered <u>12/13/13</u> Fund <u>001</u> GL <u>53800</u> OC <u>4803</u> Check# <u> </u></div>			
			\$ 800.00

If you have any questions concerning this invoice, contact Belinda Burgbacher 239-597-2165 ext 28 or email bburgbacher@mitchellstark.com

THANK YOU FOR YOUR BUSINESS!

Prager & Co., LLC

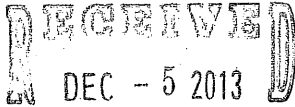
Invoice

Attn: Mary Daniels
 c/o Disclosure Services, LLC
 152 Lincoln Avenue
 Winter Park, FL 32789
 Phone # 407-622-0296
 Fax # 407-622-0135
 E-mail mdanielsen@disclosureservices.info

Date	Invoice #
12/3/2013	4895

Bill To
Catalina at Winkler Preserve CDD c/o Rizzetta & Co

Terms	Due Date
Net 30	1/2/2014

Description	Amount
Amortization Schedule Series 2005 \$15k prepayment 11/1/13 <div style="text-align: center;">  Date Rec'd Rizzetta & Co., Inc. _____ D/M approval <u>MM</u> BY: <u>12/10/13</u> Date entered <u>12/6/13</u> Fund <u>001</u> GL <u>513000C 4902</u> Check# _____ </div>	100.00
Total	\$100.00
Payments/Credits	\$0.00
Balance Due	\$100.00

Invoices unpaid for more than 30 days are subject to a late payment charge of 1.5% per month on the unpaid balance.

RIZZETTA & COMPANY, INC.

5020 W Linebaugh Avenue

Suite 200

Tampa, FL 33624

Invoice

DATE	INVOICE NO.
12/1/2013	15887

BILL TO
CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT 3434 Colwell Avenue, Suite 200 Tampa, Florida 33614

TERMS	PROJECT
Due Upon Rec't	327 - CDD

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
DM ADMIN ACTG FC	PROFESSIONAL FEES: District Management Services Administrative Services Accounting Services Financial Consulting Services Services for the period December 1, 2013 - December 31, 2013 <div>RECEIVED NOV 22 2013</div> <div>Date Rec'd Rizzetta & Co., Inc. _____ DM approval <u>mb</u> Date <u>12/4/13</u> Date entered <u>DEC 03 2013</u> Fund <u>001</u> GL <u>51300</u> OC <u>3101</u> Check # _____ <u>3100</u> <u>3201</u> <u>3111</u></div>		1,820.00 490.00 962.50 85.00	1,820.00 490.00 962.50 85.00

Total**\$3,357.50**

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

Operation and Maintenance Expenditures January 2014 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from January 1, 2014 through January 31, 2014. This does not include expenditures previously approved by the Board.

The total items being presented: **\$8,009.29**

Approval of Expenditures:

_____ Chairman

_____ Vice Chairman

_____ Assistant Secretary

Catalina at Winkler Community Development District

Paid Operation & Maintenance Expenses

January 1, 2014 Through January 31, 2014

10101 - Cash-Operating Account

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Allstate Resource Management, Inc.	0760	98822	Lake & Mitigation Maintenance 12/13	\$ 450.00
Barraco and Associates, Inc.	0761	14417	Engineering Services 12/13	\$ 450.00
Catalina at Winkler Homeowner's Association, Inc.	0762	Dec-13	Reimb Electric Util to CDD Aerator Sys 12/13	\$ 140.00
Florida Power and Light Co.	0764	09846-68343 12/13	17043 Tremont St #Aerator 12/13	\$ 160.19
Florida Power and Light Co.	0764	11246-08348 12/13	17213 Wrigley Cir #Aerator 12/13	\$ 75.10
Hopping Green & Sams	0765	74021	General/Monthly Legal Services 11/13	\$ 144.00
Rizzetta & Company, Inc.	0763	16041	District Management Fees 01/14	\$ 3,357.50
US Bank	0766	3569212	Trustee Fees Series 2005A 12/01/13-11/30/14	\$ 3,232.50
Report Total				<u>\$ 8,009.29</u>

Invoice

6900 SW 21st Court, Unit #9
Davie, Florida 33317

98822

Bill To

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Contact Us

info@allstatemanagement.com

Phone: (954) 382-9766

Fax: (954) 382-9770

Please retain this portion for your records

Due Date 12/1/2013

Terms

Account # 1728

PO #

Description

Amount Due

Lake Management Services

325.00

Lake Management Services-Littoral Shelves

125.00

NOV 18 2013
Rizzetta & Company, Inc.
/M approval mms Date 11/20/13
date entered NOV 19 2013
und 001 GL 5380000 4605
Sundell

Total

\$450.00

Catalina at Winkler C.D.D.
Rizzetta & Company, Inc.
9530 Marketplace Road
Suite 206
Fort Myers, Florida 33912

Invoice # 98822

Account # 1728

Amount

Enclosed:

\$ _____

ALLSTATE RESOURCE MANAGEMENT, INC.
6900 SW 21st Court, Unit #9
Davie, Florida 33317

Please return this portion with your payment

RECEIVED

Barraco and Associates
 2271 McGregor Boulevard, Suite 100
 Fort Myers, FL 33901

Date Rec'd Rizzetta & Co., INC **DEC 19 2013**

D/M approval MMQ Date 12/14

Date entered 12/30/13

Fund 001 GL 51300 OC 3103

Check# _____

Catalina @ Winkler Preserve CDD
 9530 Marketplace Rd
 Suite 206
 Fort Myers, FL 33912

Invoice number 14417
 Date 12/17/2013

Project 22271 Catalina @ Winkler CDD

Description	Contract Amount	Percent Complete	Billed To Date	Less Previous Billing	Amount Due This Billing
01 (TM) General Consultation	4,000.00	919.75	36,790.00	36,790.00	0.00
02 (LS) Engineer's Report	6,000.00	100.00	6,000.00	6,000.00	0.00
03 (TM) Document Review	4,000.00	170.38	6,815.00	6,815.00	0.00
04 (LS) Meeting Representation - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
05 (LS) SOP - Addendum 1	3,500.00	100.00	3,500.00	3,500.00	0.00
06 (LS) TMDL Prior Rpt Monitoring - Addendum 1	3,000.00	100.00	3,000.00	3,000.00	0.00
07 (LS) Inspection & docum. of Fac. - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
08 (LS) Proactive Discharge Insp - Addendum 1	1,500.00	100.00	1,500.00	1,500.00	0.00
09 (LS) Annual Report - Addendum 1	2,500.00	100.00	2,500.00	2,500.00	0.00
10 (LS) Meeting Representation - Add 2	1,500.00	80.00	1,200.00	1,200.00	0.00
11 (LS) Inspection & Docum of Fac. - Add 2	1,500.00	100.00	1,500.00	1,500.00	0.00
12 (LS) Proactive Illicit Disch. Inspections - Add 2	1,500.00	100.00	1,500.00	1,500.00	0.00
13 (LS) Annual Report - Add 2	2,500.00	0.00	0.00	0.00	0.00
14 (TM) Out of Scope Services	0.00	0.00	13,908.50	13,458.50	450.00
15 (TM) Reimbursables	0.00	0.00	157.41	157.41	0.00
Total	34,500.00	235.86	81,370.91	80,920.91	450.00

14 (TM) Out of Scope Services

	Hours	Rate	Billed Amount
Construction Observer	2.00	90.00	180.00
<i>Check structure repair</i>			
Senior Construction Observer	3.00	90.00	270.00
<i>Structure repair status update</i>			
<i>Check structure repair</i>			
subtotal	5.00		450.00
Out of Scope Services subtotal			450.00

Invoice total **450.00**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
14417	12/17/2013	450.00	450.00				
	Total	450.00	450.00	0.00	0.00	0.00	0.00

INVOICE

Catalina at Winkler
12650 Whitehall Drive
Fort Myers, FL 33907

DATE: December 1, 2013
INVOICE # Dec-13
FOR: Electric Service

Bill To:

Catalina @ Winkler Preserve
Rizzetta & Company, Inc
9530 Marketplace Road, Suite 206
Fort Myers, FL 33912

DESCRIPTION	AMOUNT
Dec - Areator electrial service running of pool electric at Catalina	\$140.00
<div>RECEIVED DEC 11 2013</div> <div>Date Rec'd Rizzetta & Co., Inc. _____ D/M approval <u>mas</u> BY: _____ Date <u>12/10/13</u> Date entered <u>12/13/13</u> Fund <u>001 GL 53100 OC 4301</u> Check# _____</div> <div>Please make check payable to: Catalina at Winkler 12650 Whitehall Drive Ft Myers, FL 33907</div>	
TOTAL	\$140.00



/ 27

5319098466834309106100000

Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:
FPL Care To Share \$ _____

B 5,8 5319 0

AUTO **R1 1270
1 155457

CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:



FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001

Account number	Total amount you owe	New charges due by	Amount enclosed
09846-68343	\$160.19	Jan 17 2014	\$160.19

Your electric statement

Account number: 09846-68343

For: Nov 25 2013 to Dec 27 2013 (32 days)

Customer name: CATALINA AT WINKLER

Statement date: Dec 27 2013

Service address: 17043 TREMONT ST # AERATOR

Next meter reading: Jan 29 2014

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (-)	New charges due by
138.77	138.77 CR	0.00	0.00	160.19	\$160.19	Jan 17 2014

Meter reading - Meter ACD7513

Current reading 26229
Previous reading - 24773
kWh used 1456

Amount of your last bill 138.77
Payment received - Thank you 138.77 CR
Balance before new charges \$0.00

Energy usage

	Last Year	This Year
kWh this month	1117	1456
Service days	30	32
kWh per day	37	46

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount 138.28**
Storm charge 1.40
Gross receipts tax 3.58
Franchise charge 6.45
Florida sales tax 10.48

****The electric service amount includes the following charges:**

Customer charge: \$7.13
Fuel: \$43.04
(\$0.029560 per kWh)
Non-fuel: \$88.11
(\$0.060510 per kWh)

Total new charges \$160.19

Total amount you owe**\$160.19**

- Payments received after **January 17, 2014** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- Public Service Commission-approved base rate and other bill changes will take effect Jan. 2. Bills include charges that can change up or down each year. Businesses will see about a 5 to 8% increase primarily due to higher fuel costs, in which we make no profit. www.FPL.com/rates
- The number of days included in your bill can vary month to month. So even if you use the same amount of energy per day, your bill may be higher this month due to greater number of service days. Visit www.FPL.com for more information.

Date Rec'd Rizzetta & Co., Inc.

D/M approval 1/15/14Date entered 1/15/13Fund 001 GL 531000C 4301

Check# _____

RECEIVED
JAN 15 2014

BY: _____

Please have your account number ready when contacting FPL.
Customer service: 1-800-375-2434
Outside Florida: 1-800-226-3545
To report power outages: 1-800-4OUTAGE (468-8243)
Hearing/speech impaired: 711 (Relay Service)
Online at: www.FPL.com



FPL



FPL

2 155457

/ 27

5319112460834810157000000

Please request changes on the back.
Notes on the front will not be detected.

The amount enclosed includes the following donation:

FPL Care To Share

\$ _____

B 5,8

5319 1

CATALINA AT WINKLER
PRESERVE CDD
9530 MARKETPLACE RD STE 206
FORT MYERS FL 33912-0393

Make check payable to FPL in U.S. funds
and mail along with this coupon to:

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001

Account number	Total amount you owe	New charges due by	Amount enclosed
11246-08348	\$75.10	Jan 17 2014	\$ 75.10

Your electric statement

Account number: 11246-08348

For: Nov 25 2013 to Dec 27 2013 (32 days)

Customer name: CATALINA AT WINKLER

Statement date: Dec 27 2013

Service address: 17213 WRIGLEY CIR # AERATOR

Next meter reading: Jan 29 2014

Amount of your last bill	Payments (-)	Additional activity (+ or -)	Balance before new charges (=)	New charges (+)	Total amount you owe (=)	New charges due by
67.67	67.67 CR	0.00	0.00	75.10	\$75.10	Jan 17 2014

Meter reading - Meter ACD7628

Current reading 10887
Previous reading - 10246
kWh used 641

Amount of your last bill 67.67
Payment received - Thank you 67.67 CR
Balance before new charges \$0.00

Energy usage

	Last Year	This Year
kWh this month	562	641
Service days	30	32
kWh per day	19	20

New charges (Rate: GS-1 GENERAL SVC NON-DEMAND / BUSINESS)

Electric service amount 64.86**
Storm charge 0.62
Gross receipts tax 1.68
Franchise charge 3.02
Florida sales tax 4.92

Total new charges \$75.10

****The electric service amount includes the following charges:**

Customer charge: \$7.13
Fuel: \$18.95
(\$0.029560 per kWh)
Non-fuel: \$38.78
(\$0.060510 per kWh)

Total amount you owe**\$75.10**

- Payments received after **January 17, 2014** are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.
- Public Service Commission-approved base rate and other bill changes will take effect Jan. 2. Bills include charges that can change up or down each year. Businesses will see about a 5 to 8% increase primarily due to higher fuel costs, in which we make no profit. www.FPL.com/rates
- The number of days included in your bill can vary month to month. So even if you use the same amount of energy per day, your bill may be higher this month due to greater number of service days. Visit www.FPL.com for more information.

RECEIVED
JAN 15 2014

Date Rec'd Rizzetta & Co., Inc.

D/M approval mmj Date 1/15/14Date entered 1/15/13Fund 001 GL 5310200 4301

Check# _____

Please have your account number ready when contacting FPL.

Customer service: 1-800-375-2434

Outside Florida: 1-800-228-3545

To report power outages: 1-800-4OUTAGE (468-8243)

Hearing/speech impaired: 711 (Relay Service)

Online at: www.FPL.com

FPL

Hopping Green & Sams

Attorneys and Counselors

119 S. Monroe Street, Ste. 300
P.O. Box 6526
Tallahassee, FL 32314
850.222.7500

STATEMENT

December 31, 2013

Catalina at Winkler Preserve CDD
c/o Rizzetta & Company, Inc
9530 Marketplace Road
Suite 206
Fort Myers, FL 33912

Bill Number 74021
Billed through 11/30/2013

Date Rec'd Rizzetta & Co., Inc. _____

D/M approval MS Date 1/14/14

Date entered 1/10/14

Fund 001 651400 3107

Check# _____

General Counsel/Monthly Meeting
CATCDD 00001 JLE

FOR PROFESSIONAL SERVICES RENDERED

11/09/13	CBO	Prepare resolution adopting revised rules of procedure.	0.40 hrs
11/13/13	CBO	Confer with Syvret regarding November meeting.	0.20 hrs
11/21/13	DCH	Monitor teleconference on MS4 permtting requirements.	0.20 hrs
Total fees for this matter			\$144.00

MATTER SUMMARY

Bowen, Chuck	0.60 hrs	175 /hr	\$105.00
Childs, David	0.20 hrs	195 /hr	\$39.00
TOTAL FEES			\$144.00
TOTAL CHARGES FOR THIS MATTER			<u>\$144.00</u>

BILLING SUMMARY

Bowen, Chuck	0.60 hrs	175 /hr	\$105.00
Childs, David	0.20 hrs	195 /hr	\$39.00
TOTAL FEES			\$144.00
TOTAL CHARGES FOR THIS BILL			<u>\$144.00</u>

Please include the bill number on your check.

RIZZETTA & COMPANY, INC.

5020 W Linebaugh Avenue

Suite 200

Tampa, FL 33624

DATE	INVOICE NO.
1/1/2014	16041

BILL TO
CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT 3434 Colwell Avenue, Suite 200 Tampa, Florida 33614

TERMS	PROJECT
Due Upon Rec't	327 - CDD

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
PROFESSIONAL FEES:				
DM	District Management Services		1,820.00	1,820.00
ADMIN	Administrative Services		490.00	490.00
ACTG	Accounting Services		962.50	962.50
FC	Financial Consulting Services		85.00	85.00
Services for the period January 1, 2014 through January 31, 2014				
RECEIVED DEC 27 2013 Date rec'd Rizzetta & Co., Inc. _____ Client approval <u>MOG</u> Date <u>12/14</u> Date entered <u>12/30/13</u> and <u>001</u> GL <u>51300</u> OC <u>3101</u> - <u>\$1820.00</u> <u>3100</u> - <u>\$490.00</u> <u>3201</u> - <u>\$962.50</u> <u>3111</u> - <u>\$85.00</u>				
Total				\$3,357.50



Corporate Trust Services
EP-MN-WN3L
60 Livingston Ave.
St. Paul, MN 55107

Invoice Number: 3569212
Account Number: 4076055616
Invoice Date: 12/24/2013
Direct Inquiries To: MARY JANICE ENTSMINGER
Phone: 407-835-3810

CATALINA AT WINKLER PRESERVE CDD
WILLIAM RIZZETTA DISTRICT MANAGER
3434 COLWELL AVENUE STE 200
TAMPA, FL 33614

CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT
SPECIAL ASSESSMENT BONDS, SERIES 2005A

The following is a statement of transactions pertaining to your account. For further information, please review the attached.

STATEMENT SUMMARY

PLEASE REMIT BOTTOM COUPON PORTION OF THIS PAGE WITH CHECK PAYMENT OF INVOICE.

TOTAL AMOUNT DUE

\$3,232.50

All invoices are due upon receipt.

RECEIVED

JAN 4 6 2014

are Hec'd Rizzetta & Co., Inc.

/M approval mas Date 1/14/14

ate entered 1/10/14

und 001 GL 5130000 3105

check #

Please detach at perforation and return bottom portion of the statement with your check, payable to U.S. Bank.

CATALINA AT WINKLER PRESERVE COMMUNITY
DEVELOPMENT DISTRICT
SPECIAL ASSESSMENT BONDS, SERIES 2005A

Invoice Number: 3569212
Account Number: 4076055616
Current Due: \$3,232.50
Direct Inquiries To: MARY JANICE ENTSMINGER
Phone: 407-835-3810

Wire Instructions:

U.S. Bank
ABA # 091000022
Acct # 1-801-5013-5135
Trust Acct # 4076055616
Invoice # 3569212
Attn: Fee Dept St. Paul

Please mail payments to:

U.S. Bank
CM-9690
PO BOX 70870
St. Paul, MN 55170-9690



Corporate Trust Services
EP-MN-WN3L
60 Livingston Ave.
St. Paul, MN 55107

Invoice Number: 3569212
Invoice Date: 12/24/2013
Account Number: 4076055616
Direct Inquiries: MARY JANICE ENTSMINGER
Phone: 407-835-3810

**CATALINA AT WINKLER PRESERVE COMMUNITY
DEVELOPMENT DISTRICT
SPECIAL ASSESSMENT BONDS, SERIES 2005A**

Accounts Included 26006 4076055607 4076055616 4076055625 4076055634 4076055643
In This Relationship: 4076055670

CURRENT CHARGES SUMMARIZED FOR ENTIRE RELATIONSHIP				
Detail of Current Charges	Volume	Rate	Portion of Year	Total Fees
04280 Administration	1.00	3,000.00	100.00%	\$3,000.00
Subtotal Administration Fees - In Advance 12/01/2013 - 11/30/2014				\$3,000.00
Incidental Expenses 12/01/2013 to 11/30/2014	3,000.00	0.0775		\$232.50
Subtotal Incidental Expenses				\$232.50
TOTAL AMOUNT DUE				\$3,232.50

Tab 3

RESOLUTION 2014-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2013-07 TO RE-SET THE DATE, TIME AND LOCATION OF THE PUBLIC HEARING TO CONSIDER AND HEAR COMMENT ON THE ADOPTION OF RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Catalina at Winkler Preserve Community Development District (“District”) was established by an ordinance adopted by the Board of County Commissioners of Lee County, Florida, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure improvements; and

WHEREAS, on August 21, 2013, at a duly noticed public meeting, the District’s Board of Supervisors (the “Board”) adopted Resolution 2013-07, setting a public hearing to consider and hear comment on the adoption of Rules of Procedure for November 20, 2013 at Rizzetta & Company, Inc., 9530 Marketplace Rd., Ste. 206, Fort Myers, Florida 33912; and

WHEREAS, the Board of Supervisors desires to change the date of the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. PUBLIC HEARING DATE RE-SET. Resolution 2013-07 is hereby amended to reflect that the public hearing as declared in Resolution 2013-07 is re-set to:

Wednesday, February 19, 2014 at 3:30 p.m. at Rizzetta & Company, Inc., 9530 Marketplace Rd., Ste. 206, Fort Myers, Florida 33912.

SECTION 2. RESOLUTION 2013-07 OTHERWISE REMAINS IN FULL FORCE AND EFFECT. Except as otherwise provided herein, all of the provisions of Resolution 2013-07 continue in full force and effect.

SECTION 3. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect upon its passage and adoption by the Board of Supervisors of the Catalina at Winkler Preserve Community Development District.

PASSED AND ADOPTED this 19th day of February, 2014.

ATTEST:

**CATALINA AT WINKLER PRESERVE
COMMUNITY DEVELOPMENT
DISTRICT**

Assistant Secretary

By:_____

Its:_____

Tab 4

**RULES OF PROCEDURE
CATALINA AT WINKLER PRESERVE COMMUNITY DEVELOPMENT DISTRICT**

TABLE OF CONTENTS

	<u>Page</u>
1.0 General.....	2
1.1 Board of Supervisors; Officers and Voting	3
1.2 District Offices; Public Information and Inspection of Records; Policies; Service Contract Requirements.....	7
1.3 Public Meetings, Hearings, and Workshops	10
2.0 Rulemaking Proceedings	15
3.0 Competitive Purchase	21
3.1 Procedure Under The Consultants’ Competitive Negotiation Act	26
3.2 Procedure Regarding Auditor Selection	30
3.3 Purchase of Insurance	34
3.4 Pre-qualification.....	36
3.5 Construction Contracts, Not Design-Build	39
3.6 Construction Contracts, Design-Build	43
3.7 Payment and Performance Bonds.	48
3.8 Goods, Supplies, and Materials	49
3.9 Maintenance Services	53
3.10 Contractual Services	56
3.11 Protests with Respect to Proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9.....	57
4.0 Effective Date	60

Rule 1.0 General.

- (1) The Catalina at Winkler Preserve Community Development District (the “District”) was created pursuant to the provisions of Chapter 190 of the Florida Statutes, and was established to provide for the ownership, operation, maintenance, and provision of various capital facilities and services within its jurisdiction. The purpose of these rules (the “Rules”) is to describe the general operations of the District.
- (2) Definitions located within any section of these Rules shall be applicable within all other sections, unless specifically stated to the contrary.
- (3) Unless specifically permitted by a written agreement with the District, the District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (4) A Rule of the District shall be effective upon adoption by affirmative vote of the District Board. After a Rule becomes effective, it may be repealed or amended only through the rulemaking procedures specified in these Rules. Notwithstanding, the District may immediately suspend the application of a Rule if the District determines that the Rule conflicts with Florida law. In the event that a Rule conflicts with Florida law and its application has not been suspended by the District, such Rule should be interpreted in the manner that best effectuates the intent of the Rule while also complying with Florida law. If the intent of the Rule absolutely cannot be effectuated while complying with Florida law, the Rule shall be automatically suspended.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

Rule 1.1 Board of Supervisors; Officers and Voting.

- (1) Board of Supervisors. The Board of Supervisors of the District (the “Board”) shall consist of five (5) members. Members of the Board (“Supervisors”) appointed by ordinance or rule or elected by landowners must be citizens of the United States of America and residents of the State of Florida. Supervisors elected by resident electors must be citizens of the United States of America, residents of the State of Florida and of the District, registered to vote with the Supervisor of Elections of the county in which the District is located, and qualified. The Board shall exercise the powers granted to the District under Florida law.
 - (a) Supervisors shall hold office for the term specified by Section 190.006 of the Florida Statutes. If, during the term of office, any Board member(s) vacates their office, the remaining member(s) of the Board shall fill the vacancies by appointment for the remainder of the term(s). If three or more vacancies exist at the same time, a quorum, as defined herein, shall not be required to appoint replacement Board members.
 - (b) Three (3) members of the Board shall constitute a quorum for the purposes of conducting business, exercising powers and all other purposes. A Board member shall be counted toward the quorum if physically present at the meeting, regardless of whether such Board member is prohibited from, or abstains from, participating in discussion or voting on a particular item.
 - (c) Action taken by the Board shall be upon a majority vote of the members present, unless otherwise provided in the Rules or required by law. Subject to Rule 1.3(10), a Board member participating in the Board meeting by teleconference or videoconference shall be entitled to vote and take all other action as though physically present.
 - (d) Unless otherwise provided for by an act of the Board, any one Board member may attend a mediation session on behalf of the Board. Any agreement resulting from such mediation session must be approved pursuant to subsection (1)(c) of this Rule.
- (2) Officers. At the first Board meeting held after each election where the newly elected members take office, the Board shall select a Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, and Treasurer.
 - (a) The Chairperson must be a member of the Board. If the Chairperson resigns from that office or ceases to be a member of the Board, the Board shall select a Chairperson. The Chairperson serves at the pleasure of the Board. The Chairperson shall be authorized to execute resolutions and contracts on the District’s behalf. The Chairperson shall convene and conduct all meetings of the Board. In the event the Chairperson is unable to attend a meeting, the Vice-Chairperson shall convene and conduct the

meeting. The Chairperson or Vice-Chairperson may delegate the responsibility of conducting the meeting to the District's manager ("District Manager") or District Counsel, in whole or in part.

- (b) The Vice-Chairperson shall be a member of the Board and shall have such duties and responsibilities as specifically designated by the Board from time to time. The Vice-Chairperson has the authority to execute resolutions and contracts on the District's behalf in the absence of the Chairperson. If the Vice-Chairperson resigns from office or ceases to be a member of the Board, the Board shall select a Vice-Chairperson. The Vice-Chairperson serves at the pleasure of the Board.
- (c) The Secretary of the Board serves at the pleasure of the Board and need not be a member of the Board. The Secretary shall be responsible for maintaining the minutes of Board meetings and may have other duties assigned by the Board from time to time. An employee of the District Manager may serve as Secretary. The Secretary shall be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (d) The Treasurer need not be a member of the Board but must be a resident of the State of Florida. The Treasurer shall perform duties described in Section 190.007(2) and (3) of the Florida Statutes, as well as those assigned by the Board from time to time. The Treasurer shall serve at the pleasure of the Board. The Treasurer shall either be bonded by a reputable and qualified bonding company in at least the amount of one million dollars (\$1,000,000), or have in place a fidelity bond, employee theft insurance policy, or a comparable product in the amount of one million dollars (\$1,000,000) that names the District as an additional insured.
- (e) In the event that both the Chairperson and Vice-Chairperson are absent from a Board meeting and a quorum is present, the Board may designate one of its members or a member of District staff to convene and conduct the meeting. In such circumstances, any of the Board members present are authorized to execute agreements, resolutions, and other documents approved by the Board at such meeting. In the event that the Chairperson and Vice-Chairperson are both unavailable to execute a document previously approved by the Board, the Secretary or any Assistant Secretary may execute such document.
- (f) The Board may assign additional duties to District officers from time to time, which include, but are not limited to, executing documents on behalf of the District.

- (g) The Chairperson, Vice-Chairperson, and any other person authorized by District Resolution may sign checks and warrants for the District, countersigned by the Treasurer or other persons authorized by the Board.
- (3) Committees. The Board may establish committees of the Board, either on a permanent or temporary basis, to perform specifically designated functions. Committees may include individuals who are not members of the Board. Such functions may include, but are not limited to, review of bids, proposals, and qualifications, contract negotiations, personnel matters, and budget preparation.
- (4) Record Book. The Board shall keep a permanent record book entitled "Record of Proceedings," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, and corporate acts. The Records of Proceedings shall be located at a District office and shall be available for inspection by the public.
- (5) Meetings. For each fiscal year, the Board shall establish a schedule of regular meetings, which shall be published in a newspaper of general circulation in the county in which the District is located and filed with the local general-purpose governments within whose boundaries the District is located. All meetings of the Board and Committees serving an advisory function shall be open to the public in accord with the provisions of Chapter 286 of the Florida Statutes.
- (6) Voting Conflict of Interest. The Board shall comply with Section 112.3143 of the Florida Statutes, so as to ensure the proper disclosure of conflicts of interest on matters coming before the Board for a vote. For the purposes of this section, "voting conflict of interest" shall be governed by Chapters 112 and 190 of the Florida Statutes, as amended from time to time. Generally, a voting conflict exists when a Board member is called upon to vote on an item which would inure to the Board member's special private gain or loss or the Board member knows would inure to the special private gain or loss of a principal by whom the Board member is retained, the parent organization or subsidiary of a corporate principal, a business associate, or a relative including only a father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law.
 - (a) When a Board member knows the member has a conflict of interest on a matter coming before the Board, the member should notify the Board's Secretary prior to participating in any discussion with the Board on the matter. The member shall publicly announce the conflict of interest at the meeting. This announcement shall appear in the minutes.

If the Board member was elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, the Board member may vote or abstain from voting on the matter at issue. If the Board member was elected by electors residing within the District, the

Board member is prohibited from voting on the matter at issue. In the event that the Board member intends to abstain or is prohibited from voting, such Board member shall not participate in the discussion on the item subject to the vote.

The Board's Secretary shall prepare a Memorandum of Voting Conflict (Form 8B) which shall then be signed by the Board member, filed with the Board's Secretary, and provided for attachment to the minutes of the meeting within fifteen (15) days of the meeting.

- (b) If a Board member inadvertently votes on a matter and later learns he or she has a conflict on the matter, the member shall immediately notify the Board's Secretary. Within fifteen (15) days of the notification, the member shall file the appropriate Memorandum of Voting Conflict, which will be attached to the minutes of the Board meeting during which the vote on the matter occurred. The Memorandum of Voting Conflict shall immediately be provided to other Board members and shall be read publicly at the next meeting held subsequent to the filing of the Memorandum of Voting Conflict. The Board member's vote is unaffected by this filing.
- (c) It is not a conflict of interest for a Board member, the District Manager, or an employee of the District to be a stockholder, officer or employee of a landowner or of an entity affiliated with a landowner.
- (d) In the event that a Board member elected at a landowner's election or appointed to fill a vacancy of a seat last filled at a landowner's election, has a continuing conflict of interest, such Board member is permitted to file a Memorandum of Voting Conflict at any time in which it shall state the nature of the continuing conflict. Only one such continuing Memorandum of Voting Conflict shall be required to be filed for each term the Board member is in office.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 112.3143, 190.006, 190.007, Fla. Stat.

Rule 1.2 District Offices; Public Information and Inspection of Records; Policies; Service Contract Requirements.

- (1) District Offices. Unless otherwise designated by the Board, the official District office shall be the District Manager's office identified by the District Manager. If the District Manager's office is not located within the county in which the District is located, the Board shall designate a local records office within such county which shall at a minimum contain, but not be limited to, the following documents:
- (a) Agenda packages for prior 24 months and next meeting;
 - (b) Official minutes of meetings, including adopted resolutions of the Board;
 - (c) Names and addresses of current Board members and District Manager, unless such addresses are protected from disclosure by law;
 - (d) Adopted engineer's reports;
 - (e) Adopted assessment methodologies/reports;
 - (f) Adopted disclosure of public financing;
 - (g) Limited Offering Memorandum for each financing undertaken by the District;
 - (h) Proceedings, certificates, bonds given by all employees, and any and all corporate acts;
 - (i) District policies and rules;
 - (j) Fiscal year end audits; and
 - (k) Adopted budget for the current fiscal year.

The District Manager shall ensure that each District records office contains the documents required by Florida law.

- (2) Public Records. District public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business of the District. All District public records not otherwise restricted by law may be copied or inspected at the District Manager's office during regular business hours. Certain District records can also be inspected and copied at the District's local records office during regular business hours. All written public records requests shall be directed to the Secretary who by these

rules is appointed as the District's records custodian. Regardless of the form of the request, any Board member or staff member who receives a public records request shall immediately forward or communicate such request to the Secretary for coordination of a prompt response. The Secretary, after consulting with District Counsel as to the applicability of any exceptions under the public records laws, shall be responsible for responding to the public records request. At no time can the District be required to create records or summaries of records, or prepare opinions regarding District policies, in response to a public records request.

- (3) Service Contracts. Any contract for services, regardless of cost, shall include provisions required by law that require the contractor to comply with public records laws. The District Manager shall be responsible for initially enforcing all contract provisions related to a contractor's duty to comply with public records laws.
- (4) Fees; Copies. Copies of public records shall be made available to the requesting person at a charge of \$0.15 per page for one-sided copies and \$0.20 per page for two-sided copies if not more than 8 ½ by 14 inches. For copies of public records in excess of the sizes listed in this section and for outside duplication services, the charge shall be equal to the actual cost of reproduction. Certified copies of public records shall be made available at a charge of one dollar (\$1.00) per page. If the nature or volume of records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance, the District may charge, in addition to the duplication charge, a special service charge that is based on the cost the District incurs to produce the records requested. This charge may include, but is not limited to, the cost of information technology resource, employee labor, and fees charged to the District by consultants employed in fulfilling the request. In cases where the special service charge is based in whole or in part on the costs incurred by the District due to employee labor, consultant fees, or other forms of labor, those portions of the charge shall be calculated based on the lowest labor cost of an individual who is qualified to perform the labor. For purposes of this Rule, the word "extensive" shall mean that it will take more than 15 minutes to locate, review for confidential information, copy and re-file the requested material. In cases where extensive personnel time is determined by the District to be necessary to safeguard original records being inspected, the special service charge provided for in the section shall apply. If the total fees, including but not limited to special service charges, are anticipated to exceed twenty-five dollars (\$25.00), then, prior to commencing work on the request, the District will inform the person making the public records request of the estimated cost, with the understanding that the final cost may vary from that estimate. If the person making the public records request decides to proceed with the request, payment of the estimated cost is required in advance. After the request has been fulfilled, additional payments or credits may be due.
- (5) Records Retention. The Secretary of the District shall be responsible for retaining the District's records in accordance with applicable Florida law.

- (6) Policies. The Board may adopt policies related to the conduct of its business and the provision of services either by resolution or motion.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.006, 119.07, Fla. Stat.

Rule 1.3 Public Meetings, Hearings, and Workshops.

- (1) Notice. Except in emergencies, or as otherwise required by statute or these Rules, at least seven (7) days, but no more than thirty (30) days public notice shall be given of any public meeting, hearing or workshop of the Board. Public notice shall be given by publication in a newspaper of general circulation in the District and in the county in which the District is located. "General circulation" means a publication that is printed and published at least once a week for the preceding year, offering at least 25% of its words in the English language, qualifies as a periodicals material for postal purposes in the county in which the District is located, is for sale to the public generally, is available to the public generally for the publication of official or other notices, and is customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public. The annual meeting notice required to be published by Section 189.417 of the Florida Statutes, shall be published in a newspaper not of limited subject matter, which is published at least five days a week, unless the only newspaper in the county is published less than five days a week. Each Notice shall state, as applicable:
 - (a) The date, time and place of the meeting, hearing or workshop;
 - (b) A brief description of the nature, subjects, and purposes of the meeting, hearing, or workshop;
 - (c) The District office address for the submission of requests for copies of the agenda, as well as a contact name and telephone number for verbal requests for copies of the agenda; and
 - (d) The following language: "Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (239) 936-0913. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office."
 - (e) The following language: "A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based."

- (f) The following language: “The meeting [or hearing or workshop] may be continued in progress without additional notice to a time, date, and location stated on the record.”
- (2) Mistake. In the event that a meeting is held under the incorrect assumption that notice required by law and these Rules has been given, the Board at its next properly noticed meeting shall cure such defect by considering the agenda items from the prior meeting individually and anew.
- (3) Agenda. The District Manager, under the guidance of District Counsel and the Chairperson or Vice-Chairperson, shall prepare a notice and an agenda of the meeting/hearing/workshop. The notice and agenda shall be available to the public at least seventy-two (72) hours before the meeting/hearing/workshop except in an emergency. For good cause, the agenda may be changed after it is first made available for distribution. The requirement of good cause shall be liberally construed to allow the District to efficiently conduct business and to avoid the expenses associated with special meetings.

The District may, but is not required to, use the following format in preparing its agenda for its regular meetings:

- Call to order
- Roll call
- Public comment
- Organizational matters
- Review of minutes
- Specific items of old business
- Specific items of new business
- Staff reports
 - (a) District Counsel
 - (b) District Engineer
 - (c) District Manager
 - 1. Financial Report
 - 2. Approval of Expenditures
- Supervisor’s requests and comments
- Public comment
- Adjournment

- (4) Minutes. The Secretary shall be responsible for preparing and keeping the minutes of each meeting of the Board. Minutes shall be corrected and approved by the Board at a subsequent meeting. The Secretary may work with other staff members in preparing draft minutes for the Board’s consideration.
- (5) Special Requests. Persons wishing to receive, by mail, notices or agendas of meetings, may so advise the District Manager or Secretary at the District Office.

Such persons shall furnish a mailing address in writing and shall be required to pre-pay the cost of the copying and postage.

- (6) Emergency Meetings. The Chairperson, or Vice-Chairperson if the Chairperson is unavailable, may convene an emergency meeting of the Board without first having complied with sections (1) and (3) of this Rule, to act on emergency matters that may affect the public health, safety, or welfare. Whenever possible, the District Manager shall make reasonable efforts to provide public notice and notify all Board members of an emergency meeting twenty-four (24) hours in advance. Reasonable efforts may include telephone notification. Notice of the emergency meeting must be provided both before and after the meeting on the District's website, if it has one. Whenever an emergency meeting is called, the District Manager shall be responsible for notifying at least one newspaper of general circulation in the District. After an emergency meeting, the Board shall publish in a newspaper of general circulation in the District, the time, date and place of the emergency meeting, the reasons why an emergency meeting was necessary and a description of the action taken. Actions taken at an emergency meeting may be ratified by the Board at a regularly noticed meeting subsequently held.
- (7) Public Comment. The Board shall set aside a reasonable amount of time at each meeting for public comment and members of the public shall be permitted to provide comment on any proposition before the Board. The portion of the meeting generally reserved for public comment shall be identified in the agenda. Policies governing public comment may be adopted by the Board in accordance with Florida law.
- (8) Budget Hearing. Notice of hearing on the annual budget(s) shall be in accord with Section 190.008 of the Florida Statutes. Once adopted in accord with Section 190.008 of the Florida Statutes, the annual budget(s) may be amended from time to time by action of the Board. Approval of invoices by the Board in excess of the funds allocated to a particular budgeted line item shall serve to amend the budgeted line item.
- (9) Public Hearings. Notice of required public hearings shall contain the information required by applicable Florida law and by these Rules applicable to meeting notices and shall be mailed and published as required by Florida law. The District Manager shall ensure that all such notices, whether mailed or published, contain the information required by Florida law and these Rules and are mailed and published as required by Florida law. Public hearings may be held during Board meetings when the agenda includes such public hearing.
- (10) Participation by Teleconference/Videoconference. District staff may participate in Board meetings by teleconference or videoconference. Board members may also participate in Board meetings by teleconference or videoconference if in the good judgment of the Board extraordinary circumstances exist; provided however,

at least three Board members must be physically present at the meeting location to establish a quorum. Such extraordinary circumstances shall be presumed when a Board member participates by teleconference or videoconference, unless a majority of the Board members physically present determines that extraordinary circumstances do not exist.

- (11) Board Authorization. The District has not adopted Robert's Rules of Order. For each agenda item, there shall be discussion permitted among the Board members during the meeting. Approval or disapproval of resolutions and other proposed Board actions shall be in the form of a motion by one Board member, a second by another Board member, and an affirmative vote by the majority of the Board members present. Any Board member, including the Chairperson, can make or second a motion.
- (12) Continuances. Any meeting or public hearing of the Board may be continued without re-notice or re-advertising provided that:
 - (a) The Board identifies on the record at the original meeting a reasonable need for a continuance;
 - (b) The continuance is to a specified date, time, and location publicly announced at the original meeting; and
 - (c) The public notice for the original meeting states that the meeting may be continued to a date and time and states that the date, time, and location of any continuance shall be publicly announced at the original meeting and posted at the District Office immediately following the original meeting.
- (13) Attorney-Client Sessions. An Attorney-Client Session is permitted when the District's attorneys deem it necessary to meet in private with the Board to discuss pending litigation to which the District is a party before a court or administrative agency or as may be authorized by law. The District's attorneys must request such session at a public meeting. Prior to holding the Attorney-Client Session, the District must give reasonable public notice of the time and date of the session and the names of the persons anticipated to attend the session. The session must commence at an open meeting in which the Chairperson or Vice-Chairperson announces the commencement of the session, the estimated length of the session, and the names of the persons who will be attending the session. The discussion during the session is confined to settlement negotiations or strategy related to litigation expenses or as may be authorized by law. Only the Board, the District's attorneys (including outside counsel), the District Manager, and the court reporter may attend an Attorney-Client Session. During the session, no votes may be taken and no final decisions concerning settlement can be made. Upon the conclusion of the session, the public meeting is reopened and the Chairperson or Vice-Chairperson must announce that the session has concluded. The session must be transcribed by a court-reporter and the transcript of the session filed with

the District Secretary within a reasonable time after the session. The transcript shall not be available for public inspection until after the conclusion of the litigation.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.006, 190.007, 190.008, 286.0105, 286.011, 286.0114, Fla. Stat.

Rule 2.0 Rulemaking Proceedings.

- (1) Commencement of Proceedings. Proceedings held for adoption, amendment, or repeal of a District rule shall be conducted according to these Rules. Rulemaking proceedings shall be deemed to have been initiated upon publication of notice by the District. A “rule” is a District statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the District (“Rule”). Nothing herein shall be construed as requiring the District to consider or adopt rules unless required by Chapter 190 of the Florida Statutes. Policies adopted by the District which do not consist of rates, fees, rentals or other monetary charges may be, but are not required to be, implemented through rulemaking proceedings.
- (2) Notice of Rule Development.
 - (a) Except when the intended action is the repeal of a Rule, the District shall provide notice of the development of a proposed rule by publication of a Notice of Rule Development in a newspaper of general circulation in the District before providing notice of a proposed rule as required by section (3) of this Rule. Consequently, the Notice of Rule Development shall be published at least twenty-nine (29) days prior to the public hearing on the proposed Rule. The Notice of Rule Development shall indicate the subject area to be addressed by rule development, provide a short, plain explanation of the purpose and effect of the proposed rule, cite the specific legal authority for the proposed rule, and include a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft, if available.
 - (b) All rules as drafted shall be consistent with Sections 120.54(1)(g) and 120.54(2)(b) of the Florida Statutes.
- (3) Notice of Proceedings and Proposed Rules.
 - (a) Prior to the adoption, amendment, or repeal of any rule other than an emergency rule, the District shall give notice of its intended action, setting forth a short, plain explanation of the purpose and effect of the proposed action, a reference to the specific rulemaking authority pursuant to which the rule is adopted, and a reference to the section or subsection of the Florida Statutes being implemented, interpreted, or made specific. The notice shall include a summary of the District’s statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in Section 120.541(2) of the Florida Statutes, and a statement that any person who wishes to provide the District with a lower cost regulatory alternative as provided by Section 120.541(1), must do so in writing within twenty-one (21) days after publication of the notice. The notice shall additionally include a statement that any affected person may request a public hearing

by submitting a written request within twenty-one (21) days after the date of publication of the notice. Except when intended action is the repeal of a rule, the notice shall include a reference to both the date on which and the place where the Notice of Rule Development required by section (2) of this Rule appeared.

- (b) The notice shall be published in a newspaper of general circulation in the District and each county in which the District is located not less than twenty-eight (28) days prior to the intended action. The proposed rule shall be available for inspection and copying by the public at the time of the publication of notice.
 - (c) The notice shall be mailed to all persons named in the proposed rule and to all persons who, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its rulemaking proceedings. Any person may file a written request with the District Manager to receive notice by mail of District proceedings to adopt, amend, or repeal a rule. Such persons must furnish a mailing address and may be required to pay the cost of copying and mailing. Notice will then be mailed to all persons whom, at least fourteen (14) days prior to such mailing, have made requests of the District for advance notice of its proceedings.
- (4) Rule Development Workshops. Whenever requested in writing by any affected person, the District must either conduct a rule development workshop prior to proposing rules for adoption or the Chairperson must explain in writing why a workshop is unnecessary. The District may initiate a rule development workshop but is not required to do so.
- (5) Petitions to Initiate Rulemaking. All Petitions to Initiate Rulemaking proceedings must contain the name, address, and telephone number of the petitioner, the specific action requested, the specific reason for adoption, amendment, or repeal, the date submitted, the text of the proposed rule, and the facts showing that the petitioner is regulated by the District, or has substantial interest in the rulemaking. Not later than sixty (60) calendar days following the date of filing a petition, the Board shall initiate rulemaking proceedings or deny the petition with a written statement of its reasons for the denial. If the petition is directed to an existing policy that the District has not formally adopted as a rule, the District may, in its discretion, notice and hold a public hearing on the petition to consider the comments of the public directed to the policy, its scope and application, and to consider whether the public interest is served adequately by the application of the policy on a case-by-case basis, as contrasted with its formal adoption as a rule. However, this section shall not be construed as requiring the District to adopt a rule to replace a policy.

- (6) Rulemaking Materials. After the publication of the notice referenced in section (3) of this Rule, the Board shall make available for public inspection and shall provide, upon request and payment of the cost of copies, the following materials:
- (a) The text of the proposed rule, or any amendment or repeal of any existing rules;
 - (b) A detailed written statement of the facts and circumstances justifying the proposed rule;
 - (c) A copy of the statement of estimated regulatory costs if required by Section 120.541 of the Florida Statutes; and
 - (d) The published notice.
- (7) Hearing. The District may, or, upon the written request of any affected person received within twenty-one (21) days after the date of publication of the notice described in section (3) of this Rule, shall, provide a public hearing for the presentation of evidence, argument, and oral statements, within the reasonable conditions and limitations imposed by the District to avoid duplication, irrelevant comments, unnecessary delay, or disruption of the proceedings. The District shall publish notice of the public hearing in a newspaper of general circulation within the District either in the text of the notice described in section (3) of this Rule or in a separate publication at least seven (7) days before the scheduled public hearing. The notice shall specify the date, time, and location of the public hearing, and the name, address, and telephone number of the District contact person who can provide information about the public hearing. Written statements may be submitted by any person prior to or at the public hearing. All timely submitted written statements shall be considered by the District and made part of the rulemaking record.
- (8) Emergency Rule Adoption. The Board may adopt an emergency rule if it finds that immediate danger to the public health, safety, or welfare exists which requires immediate action. Prior to the adoption of an emergency rule, the District Manager shall make reasonable efforts to notify a newspaper of general circulation in the District. Notice of emergency rules shall be published as soon as possible in a newspaper of general circulation in the District. The District may use any procedure which is fair under the circumstances in the adoption of an emergency rule as long as it protects the public interest as determined by the District and otherwise complies with these provisions.
- (9) Negotiated Rulemaking. The District may use negotiated rulemaking in developing and adopting rules pursuant to Section 120.54(2)(d) of the Florida Statutes, except that any notices required under Section 120.54(2)(d) of the Florida Statutes, may be published in a newspaper of general circulation in the county in which the District is located.

- (10) Rulemaking Record. In all rulemaking proceedings, the District shall compile and maintain a rulemaking record. The record shall include, if applicable:
- (a) The texts of the proposed rule and the adopted rule;
 - (b) All notices given for a proposed rule;
 - (c) Any statement of estimated regulatory costs for the rule;
 - (d) A written summary of hearings, if any, on the proposed rule;
 - (e) All written comments received by the District and responses to those written comments; and
 - (f) All notices and findings pertaining to an emergency rule.
- (11) Petitions to Challenge Existing Rules.
- (a) Any person substantially affected by a rule may seek an administrative determination of the invalidity of the rule on the ground that the rule is an invalid exercise of the District's authority.
 - (b) The petition seeking an administrative determination must state with particularity the provisions alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging a rule is substantially affected by it.
 - (c) The petition shall be filed with the District. Within 10 days after receiving the petition, the Chairperson shall, if the petition complies with the requirements of subsection (b) of this section, designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties. The failure of the District to follow the applicable rulemaking procedures or requirements in this Rule shall be presumed to be material; however, the District may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.
 - (d) Within 30 days after the hearing, the hearing officer shall render a decision and state the reasons therefor in writing.
 - (e) Hearings held under this section shall be de novo in nature. The petitioner has a burden of proving by a preponderance of the evidence that the

existing rule is an invalid exercise of District authority as to the objections raised. The hearing officer may:

- (i) Administer oaths and affirmations;
 - (ii) Rule upon offers of proof and receive relevant evidence;
 - (iii) Regulate the course of the hearing, including any pre-hearing matters;
 - (iv) Enter orders; and
 - (v) Make or receive offers of settlement, stipulation, and adjustment.
- (f) The petitioner and the District shall be adverse parties. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (12) Variances and Waivers. A “variance” means a decision by the District to grant a modification to all or part of the literal requirements of a rule to a person who is subject to the rule. A “waiver” means a decision by the District not to apply all or part of a rule to a person who is subject to the rule. Variances and waivers from District rules may be granted subject to the following:
- (a) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person, and when application of the rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.
 - (b) A person who is subject to regulation by a District Rule may file a petition with the District, requesting a variance or waiver from the District’s Rule. Each petition shall specify:
 - (i) The rule from which a variance or waiver is requested;
 - (ii) The type of action requested;
 - (iii) The specific facts that would justify a waiver or variance for the petitioner; and

- (iv) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.
 - (c) The District shall review the petition and may request only that information needed to clarify the petition or to answer new questions raised by or directly related to the petition. If the petitioner asserts that any request for additional information is not authorized by law or by Rule of the District, the District shall proceed, at the petitioner's written request, to process the petition.
 - (d) The Board shall grant or deny a petition for variance or waiver, and shall announce such disposition at a publicly held meeting of the Board, within sixty (60) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. The District's statement granting or denying the petition shall contain a statement of the relevant facts and reasons supporting the District's action.
- (13) Rates, Fees, Rentals and Other Charges. All rates, fees, rentals, or other charges shall be subject to rulemaking proceedings. Policies adopted by the District which do not consist of rates, fees, rentals or other charges may be, but are not required to be, implemented through rulemaking proceedings.

Specific Authority: §§ 190.011(5), 190.011(15), 190.035, Fla. Stat.

Law Implemented: §§ 190.011(5), 190.035(2), Fla. Stat.

Rule 3.0 Competitive Purchase.

- (1) Purpose and Scope. In order to comply with Sections 190.033(1) through (3), 287.055 and 287.017 of the Florida Statutes, the following provisions shall apply to the purchase of Professional Services, insurance, construction contracts, design-build services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Board Authorization. Except in cases of an Emergency Purchase, a competitive purchase governed by these Rules shall only be undertaken after authorization by the Board.
- (3) Definitions.
 - (a) “Competitive Solicitation” means a formal, advertised procurement process, other than an Invitation to Bid, Request for Proposals, or Invitation to Negotiate, approved by the Board to purchase commodities and/or services which affords vendors fair treatment in the competition for award of a District purchase contract.
 - (b) “Continuing Contract” means a contract for Professional Services entered into in accordance with Section 287.055 of the Florida Statutes, between the District and a firm, whereby the firm provides Professional Services to the District for projects in which the costs do not exceed one million dollars (\$1,000,000), for a study activity when the fee for such Professional Services to the District does not exceed fifty thousand dollars (\$50,000), or for work of a specified nature as outlined in the contract with the District, with no time limitation except that the contract must provide a termination clause (for example, a contract for general District engineering services). Firms providing Professional Services under Continuing Contracts shall not be required to bid against one another.
 - (c) “Contractual Service” means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. Contractual Services do not include auditing services, Maintenance Services, or Professional Services as defined in Section 287.055(2)(a) of the Florida Statutes, and these Rules. Contractual Services also do not include any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to Chapter 255 of the Florida Statutes, and Rules 3.5 or 3.6.
 - (d) “Design-Build Contract” means a single contract with a Design-Build Firm for the design and construction of a public construction project.

- (e) “Design-Build Firm” means a partnership, corporation or other legal entity that:
 - (i) Is certified under Section 489.119 of the Florida Statutes, to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
 - (ii) Is certified under Section 471.023 of the Florida Statutes, to practice or to offer to practice engineering; certified under Section 481.219 of the Florida Statutes, to practice or to offer to practice architecture; or certified under Section 481.319 of the Florida Statutes, to practice or to offer to practice landscape architecture.
- (f) “Design Criteria Package” means concise, performance-oriented drawings or specifications for a public construction project. The purpose of the Design Criteria Package is to furnish sufficient information to permit Design-Build Firms to prepare a bid or a response to the District’s Request for Proposals, or to permit the District to enter into a negotiated Design-Build Contract. The Design Criteria Package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project. Design Criteria Packages shall require firms to submit information regarding the qualifications, availability, and past work of the firms, including the partners and members thereof.
- (g) “Design Criteria Professional” means a firm who holds a current certificate of registration under Chapter 481 of the Florida Statutes, to practice architecture or landscape architecture, or a firm who holds a current certificate as a registered engineer under Chapter 471 of the Florida Statutes, to practice engineering, and who is employed by or under contract to the District to provide professional architect services, landscape architect services, or engineering services in connection with the preparation of the Design Criteria Package.
- (h) “Emergency Purchase” means a purchase necessitated by a sudden unexpected turn of events (for example, acts of God, riot, fires, floods, hurricanes, accidents, or any circumstances or cause beyond the control of the Board in the normal conduct of its business), where the Board finds that the delay incident to competitive purchase would be detrimental to the interests of the District. This includes, but is not limited to, instances

where the time to competitively award the project will jeopardize the funding for the project, will materially increase the cost of the project, or will create an undue hardship on the public health, safety, or welfare.

- (i) “Invitation to Bid” is a written solicitation for sealed bids with the title, date, and hour of the public bid opening designated specifically and defining the commodity or service involved. It includes printed instructions prescribing conditions for bidding, qualification, evaluation criteria, and provides for a manual signature of an authorized representative. It may include one or more bid alternates.
- (j) “Invitation to Negotiate” means a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or services.
- (k) “Negotiate” means to conduct legitimate, arm’s length discussions and conferences to reach an agreement on a term or price.
- (l) “Professional Services” means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of Florida, or those services performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper, in connection with the firm's or individual's professional employment or practice.
- (m) “Proposal (or Reply or Response) Most Advantageous to the District” means, as determined in the sole discretion of the Board, the proposal, reply, or response that is:
 - (i) Submitted by a person or firm capable and qualified in all respects to perform fully the contract requirements, who has the integrity and reliability to assure good faith performance;
 - (ii) The most responsive to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation as determined by the Board; and
 - (iii) For a cost to the District deemed by the Board to be reasonable.
- (n) “Purchase” means acquisition by sale, rent, lease, lease/purchase, or installment sale. It does not include transfer, sale, or exchange of goods, supplies, or materials between the District and any federal, state, regional or local governmental entity or political subdivision of the State of Florida.

- (o) “Request for Proposals” or “RFP” is a written solicitation for sealed proposals with the title, date, and hour of the public opening designated and requiring the manual signature of an authorized representative. It may provide general information, applicable laws and rules, statement of work, functional or general specifications, qualifications, proposal instructions, work detail analysis, and evaluation criteria as necessary.
- (p) “Responsive and Responsible Bidder” means an entity or individual that has submitted a bid that conforms in all material respects to the Invitation to Bid and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. “Responsive and Responsible Vendor” means an entity or individual that has submitted a proposal, reply, or response that conforms in all material respects to the Request for Proposals, Invitation to Negotiate, or Competitive Solicitation and has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an entity or individual is a Responsive and Responsible Bidder (or Vendor), the District may consider, in addition to factors described in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the following:
 - (i) The ability and adequacy of the professional personnel employed by the entity/individual;
 - (ii) The past performance of the entity/individual for the District and in other professional employment;
 - (iii) The willingness of the entity/individual to meet time and budget requirements;
 - (iv) The geographic location of the entity’s/individual’s headquarters or office in relation to the project;
 - (v) The recent, current, and projected workloads of the entity/individual;
 - (vi) The volume of work previously awarded to the entity/individual;
 - (vii) Whether the cost components of the bid or proposal are appropriately balanced; and
 - (viii) Whether the entity/individual is a certified minority business enterprise.

- (q) “Responsive Bid,” “Responsive Proposal,” “Responsive Reply,” and “Responsive Response” all mean a bid, proposal, reply, or response which conforms in all material respects to the specifications and conditions in the Invitation to Bid, Request for Proposals, Invitations to Negotiate, or Competitive Solicitation document and these Rules, and the cost components of which, if any, are appropriately balanced. A bid, proposal, reply or response is not responsive if the person or firm submitting it fails to meet any material requirement relating to the qualifications, financial stability, or licensing of the bidder.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.033, 255.20, 287.055, Fla. Stat.

Rule 3.1 Procedure Under The Consultants' Competitive Negotiations Act.

- (1) Scope. The following procedures are adopted for the selection of firms or individuals to provide Professional Services exceeding the thresholds herein described, for the negotiation of such contracts, and to provide for protest of actions of the Board under this Rule. As used in this Rule, "Project" means that fixed capital outlay study or planning activity when basic construction cost is estimated by the District to exceed the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FIVE, or for a planning study activity when the fee for Professional Services is estimated by the District to exceed the threshold amount provided in Section 287.017 for CATEGORY TWO, as such categories may be amended or adjusted from time to time.
- (2) Qualifying Procedures. In order to be eligible to provide Professional Services to the District, a consultant must, at the time of receipt of the firm's qualification submittal:
 - (a) Hold all required applicable federal licenses in good standing, if any;
 - (b) Hold all required applicable state professional licenses in good standing;
 - (c) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the consultant is a corporation; and
 - (d) Meet any qualification requirements set forth in the District's Request for Qualifications.

Evidence of compliance with this Rule may be submitted with the qualifications, if requested by the District. In addition, evidence of compliance must be submitted any time requested by the District.

- (3) Public Announcement. Except in cases of valid public emergencies as certified by the Board, the District shall announce each occasion when Professional Services are required for a Project or a Continuing Contract by publishing a notice providing a general description of the Project, or the nature of the Continuing Contract, and the method for interested consultants to apply for consideration. The notice shall appear in at least one (1) newspaper of general circulation in the District and in such other places as the District deems appropriate. The notice must allow at least fourteen (14) days for submittal of qualifications from the date of publication. The District may maintain lists of consultants interested in receiving such notices. These consultants are encouraged to submit annually statements of qualifications and performance data. Consultants who provide their name and address to the District Manager for inclusion on the list shall receive notices by mail. The Board has the right to reject any and all qualifications, and such reservation shall be included in the published notice. Consultants not

receiving a contract award shall not be entitled to recover from the District any costs of qualification package preparation or submittal.

(4) Competitive Selection.

- (a) The Board shall review and evaluate the data submitted in response to the notice described in section (3) of this Rule regarding qualifications and performance ability, as well as any statements of qualifications on file. The Board shall conduct discussions with, and may require public presentation by consultants regarding their qualifications, approach to the Project, and ability to furnish the required services. The Board shall then select and list the consultants, in order of preference, deemed to be the most highly capable and qualified to perform the required Professional Services, after considering these and other appropriate criteria:
 - (i) The ability and adequacy of the professional personnel employed by each consultant;
 - (ii) Whether a consultant is a certified minority business enterprise;
 - (iii) Each consultant's past performance;
 - (iv) The willingness of each consultant to meet time and budget requirements;
 - (v) The geographic location of each consultant's headquarters, office and personnel in relation to the project;
 - (vi) The recent, current, and projected workloads of each consultant; and
 - (vii) The volume of work previously awarded to each consultant by the District.
- (b) Nothing in these Rules shall prevent the District from evaluating and eventually selecting a consultant if less than three (3) qualification packages, including packages indicating a desire not to provide Professional Services on a given Project, are received.
- (c) If the selection process is administered by any person or committee other than the full Board, the selection made will be presented to the full Board with a recommendation that competitive negotiations be instituted with the selected firms in order of preference listed.
- (d) Notice of the rankings adopted by the Board, including the rejection of some or all qualification packages, shall be provided in writing to all

consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's ranking decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

(5) Competitive Negotiation.

- (a) After the Board has authorized the beginning of competitive negotiations, the District may begin such negotiations with the firm listed as most qualified to perform the required Professional Services at a rate or amount of compensation which the Board determines is fair, competitive, and reasonable.
- (b) In negotiating a lump-sum or cost-plus-a-fixed-fee professional contract for more than the threshold amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, the firm receiving the award shall be required to execute a truth-in-negotiation certificate stating that "wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting." In addition, any professional service contract under which such a certificate is required, shall contain a provision that "the original contract price and any additions thereto, shall be adjusted to exclude any significant sums by which the Board determines the contract price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs."
- (c) Should the District be unable to negotiate a satisfactory agreement with the firm determined to be the most qualified at a price deemed by the District to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the District shall immediately begin negotiations with the second most qualified firm. If a satisfactory agreement with the second firm cannot be reached, those negotiations shall be terminated and negotiations with the third most qualified firm shall be undertaken.
- (d) Should the District be unable to negotiate a satisfactory agreement with one of the top three (3) ranked consultants, additional firms shall be selected by the District, in order of their competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.

- (6) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (7) Continuing Contract. Nothing in this Rule shall prohibit a Continuing Contract between a consultant and the District.
- (8) Emergency Purchase. The District may make an Emergency Purchase without complying with these Rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.07, 190.011(3), 190.033, 287.055, Fla. Stat.

Rule 3.2 Procedure Regarding Auditor Selection.

In order to comply with the requirements of Section 218.391 of the Florida Statutes, the following procedures are outlined for selection of firms or individuals to provide Auditing Services and for the negotiation of such contracts.

(1) Definitions.

- (a) "Auditing Services" means those services within the scope of the practice of a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.
- (b) "Committee" means the audit selection committee appointed by the Board as described in section (2) of this Rule.

(2) Establishment of Audit Committee. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Board shall establish an audit selection committee ("Committee"), the primary purpose of which is to assist the Board in selecting an auditor to conduct the annual financial audit required by Section 218.39 of the Florida Statutes. The Committee should include at least three individuals, some or all of whom may also serve as members of the Board. The establishment and selection of the Committee must be conducted at a publicly noticed and held meeting of the Board.

(3) Establishment of Minimum Qualifications and Evaluation Criteria. Prior to a public announcement under section (4) of this Rule that Auditing Services are required, the Committee shall meet at a publicly noticed meeting to establish minimum qualifications and factors to use for the evaluation of Auditing Services to be provided by a certified public accounting firm licensed under Chapter 473 of the Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy.

- (a) Minimum Qualifications. In order to be eligible to submit a proposal, a firm must, at all relevant times including the time of receipt of the proposal by the District:
 - (i) Hold all required applicable federal licenses in good standing, if any;
 - (ii) Hold all required applicable state professional licenses in good standing;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with

Chapter 607 of the Florida Statutes, if the proposer is a corporation; and

- (iv) Meet any pre-qualification requirements established by the Committee and set forth in the RFP or other specifications.

If requested in the RFP or other specifications, evidence of compliance with the minimum qualifications as established by the Committee must be submitted with the proposal.

- (b) Evaluation Criteria. The factors established for the evaluation of Auditing Services by the Committee shall include, but are not limited to:
 - (i) Ability of personnel;
 - (ii) Experience;
 - (iii) Understanding of scope of work;
 - (iv) Ability to furnish the required services; and
 - (v) Such other factors as may be determined by the Committee to be applicable to its particular requirements.

The Committee may also choose to consider compensation as a factor. If the Committee establishes compensation as one of the factors, compensation shall not be the sole or predominant factor used to evaluate proposals.

- (4) Public Announcement. After identifying the factors to be used in evaluating the proposals for Auditing Services as set forth in section (3) of this Rule, the Committee shall publicly announce the opportunity to provide Auditing Services. Such public announcement shall include a brief description of the audit and how interested firms can apply for consideration and obtain the RFP. The notice shall appear in at least one (1) newspaper of general circulation in the District and the county in which the District is located. The public announcement shall allow for at least seven (7) days for the submission of proposals.
- (5) Request for Proposals. The Committee shall provide interested firms with a Request for Proposals ("RFP"). The RFP shall provide information on how proposals are to be evaluated and such other information the Committee determines is necessary for the firm to prepare a proposal. The RFP shall state the time and place for submitting proposals.
- (6) Committee's Evaluation of Proposals and Recommendation. The Committee shall meet at a publicly held meeting that is publicly noticed for a reasonable time in advance of the meeting to evaluate all qualified proposals and may, as part of

the evaluation, require that each interested firm provide a public presentation where the Committee may conduct discussions with the firm, and where the firm may present information, regarding the firm's qualifications. At the public meeting, the Committee shall rank and recommend in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services after considering the factors established pursuant to subsection (3)(b) of this Rule. If fewer than three firms respond to the RFP or if no firms respond to the RFP, the Committee shall recommend such firm as it deems to be the most highly qualified. Notwithstanding the foregoing, the Committee may recommend that any and all proposals be rejected.

(7) Board Selection of Auditor.

- (a) Where compensation was not selected as a factor used in evaluating the proposals, the Board shall negotiate with the firm ranked first and inquire of that firm as to the basis of compensation. If the Board is unable to negotiate a satisfactory agreement with the first ranked firm at a price deemed by the Board to be fair, competitive, and reasonable, then negotiations with that firm shall be terminated and the Board shall immediately begin negotiations with the second ranked firm. If a satisfactory agreement with the second ranked firm cannot be reached, those negotiations shall be terminated and negotiations with the third ranked firm shall be undertaken. The Board may reopen formal negotiations with any one of the three top-ranked firms, but it may not negotiate with more than one firm at a time. If the Board is unable to negotiate a satisfactory agreement with any of the selected firms, the Committee shall recommend additional firms in order of the firms' respective competence and qualifications. Negotiations shall continue, beginning with the first-named firm on the list, until an agreement is reached or the list of firms is exhausted.
- (b) Where compensation was selected as a factor used in evaluating the proposals, the Board shall select the highest-ranked qualified firm.
- (c) In negotiations with firms under this Rule, the Board may allow the District Manager, District Counsel, or other designee to conduct negotiations on its behalf.
- (d) Notwithstanding the foregoing, the Board may reject any or all proposals. The Board shall not consider any proposal, or enter into any contract for Auditing Services, unless the proposed agreed-upon compensation is reasonable to satisfy the requirements of Section 218.39 of the Florida Statutes, and the needs of the District.

(8) Contract. Any agreement reached under this Rule shall be evidenced by a written contract, which may take the form of an engagement letter signed and executed by

both parties. The written contract shall include all provisions and conditions of the procurement of such services and shall include, at a minimum, the following:

- (a) A provision specifying the services to be provided and fees or other compensation for such services;
 - (b) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract;
 - (c) A provision setting forth deadlines for the auditor to submit a preliminary draft audit report to the District for review and to submit a final audit report no later than July 1 of the fiscal year that follows the fiscal year for which the audit is being conducted;
 - (d) A provision specifying the contract period, including renewals and conditions under which the contract may be terminated or renewed. No contract shall continue, or allow the contract to be renewed, for a period of more than three years from the date of its execution. A renewal may be done without the use of the auditor selection procedures provided in this Rule, but must be in writing.
 - (e) Provisions required by law that require the auditor to comply with public records laws.
- (9) Notice of Award. Once a negotiated agreement with a firm or individual is reached, or the Board authorizes the execution of an agreement with a firm where compensation was a factor in the evaluation of proposals, notice of the intent to award, including the rejection of some or all proposals, shall be provided in writing to all proposers by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests regarding the award of contracts under this Rule shall be as provided for in Rule 3.11. No proposer shall be entitled to recover any costs of proposal preparation or submittal from the District.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: §§ 119.07, 218.391, Fla. Stat.

Rule 3.3 Purchase of Insurance.

- (1) Scope. The purchases of life, health, accident, hospitalization, legal expense, or annuity insurance, or all of any kinds of such insurance for the officers and employees of the District, and for health, accident, hospitalization, and legal expenses upon a group insurance plan by the District, shall be governed by this Rule. This Rule does not apply to the purchase of any other type of insurance by the District, including but not limited to liability insurance, property insurance, and directors and officers insurance. Nothing in this Rule shall require the District to purchase insurance.
- (2) Procedure. For a purchase of insurance within the scope of these Rules, the following procedure shall be followed:
 - (a) The Board shall cause to be prepared a Notice of Invitation to Bid.
 - (b) Notice of the Invitation to Bid shall be advertised at least once in a newspaper of general circulation within the District. The notice shall allow at least fourteen (14) days for submittal of bids.
 - (c) The District may maintain a list of persons interested in receiving notices of Invitations to Bid. Persons who provide their name and address to the District Manager for inclusion on the list shall receive notices by mail.
 - (d) Bids shall be opened at the time and place noted in the Invitation to Bid.
 - (e) If only one (1) response to an Invitation is received, the District may proceed with the purchase. If no response to an Invitation to Bid is received, the District may take whatever steps are reasonably necessary in order to proceed with the purchase.
 - (f) The Board has the right to reject any and all bids and such reservations shall be included in all solicitations and advertisements.
 - (g) Simultaneously with the review of the submitted bids, the District may undertake negotiations with those companies that have submitted reasonable and timely bids and, in the opinion of the District, are fully qualified and capable of meeting all services and requirements. Bid responses shall be evaluated in accordance with the specifications and criteria contained in the Invitation to Bid; in addition, the total cost to the District, the cost, if any, to the District officers, employees, or their dependents, the geographic location of the company's headquarters and offices in relation to the District, and the ability of the company to guarantee premium stability may be considered. A contract to purchase insurance shall be awarded to that company whose response to the

Invitation to Bid best meets the overall needs of the District, its officers, employees, and/or dependents.

- (h) Notice of the intent to award, including rejection of some or all bids, shall be provided in writing to all bidders by United States Mail, by hand delivery, or by overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of insurance under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 112.08, Fla. Stat.

Rule 3.4 Pre-qualification

- (1) Scope. In its discretion, the District may undertake a pre-qualification process in accordance with this Rule for vendors to provide construction services, goods, supplies, and materials, Contractual Services, and maintenance services.
- (2) Procedure. When the District seeks to pre-qualify vendors, the following procedures shall apply:
 - (a) The Board shall cause to be prepared a Request for Qualifications.
 - (b) For construction services exceeding the thresholds described in Section 255.20 of the Florida Statutes, the Board must advertise the proposed pre-qualification criteria and procedures and allow at least seven (7) days notice of the public hearing for comments on such pre-qualification criteria and procedures. At such public hearing, potential vendors may object to such pre-qualification criteria and procedures. Following such public hearing, the Board shall formally adopt pre-qualification criteria and procedures prior to the advertisement of the Request for Qualifications for construction services.
 - (c) The Request for Qualifications shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall allow at least seven (7) days for submittal of qualifications for goods, supplies and materials, Contractual Services, maintenance services, and construction services under two hundred fifty thousand dollars (\$250,000). The notice shall allow at least twenty-one (21) days for submittal of qualifications for construction services estimated to cost over two hundred fifty thousand dollars (\$250,000) and thirty (30) days for construction services estimated to cost over five hundred thousand dollars (\$500,000).
 - (d) The District may maintain lists of persons interested in receiving notices of Requests for Qualifications. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any pre-qualification determination or contract awarded in accordance with these Rules and shall not be a basis for a protest of any pre-qualification determination or contract award.
 - (e) If the District has pre-qualified vendors for a particular category of purchase, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies or

responses in response to the applicable Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

- (f) In order to be eligible to submit qualifications, a firm or individual must, at the time of receipt of the qualifications:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
 - (iv) Meet any special pre-qualification requirements set forth in the Request for Qualifications.

Evidence of compliance with these Rules must be submitted with the qualifications if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the qualifications.

- (g) Qualifications shall be presented to the Board, or a committee appointed by the Board, for evaluation in accordance with the Request for Qualifications and this Rule. Minor variations in the qualifications may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature.
- (h) All vendors determined by the District to meet the pre-qualification requirements shall be pre-qualified. To assure full understanding of the responsiveness to the requirements contained in a Request for Qualifications, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion and revision of qualifications. For construction services, any contractor pre-qualified and considered eligible by the Department of Transportation to bid to perform the type of work the project entails shall be presumed to be qualified to perform the project.
- (i) The Board shall have the right to reject all qualifications if there are not enough to be competitive or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of qualification preparation or submittal from the District.

- (j) Notice of intent to pre-qualify, including rejection of some or all qualifications, shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's pre-qualification decisions under this Rule shall be in accordance with the procedures set forth in Rule 3.11; provided however, protests related to the pre-qualification criteria and procedures for construction services shall be resolved in accordance with section (2)(b) of this Rule and Section 255.20(1)(b) of the Florida Statutes.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.033, 255.0525, 255.20, Fla. Stat.

Rule 3.5 Construction Contracts, Not Design-Build.

- (1) Scope. All contracts for the construction or improvement of any building, structure, or other public construction works authorized by Chapter 190 of the Florida Statutes, the costs of which are estimated by the District in accordance with generally accepted cost accounting principles to be in excess of the threshold amount for applicability of Section 255.20 of the Florida Statutes, as that amount may be indexed or amended from time to time, shall be let under the terms of these Rules and the procedures of Section 255.20 of the Florida Statutes, as the same may be amended from time to time. A project shall not be divided solely to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of construction services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation in the District and in the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least twenty-one (21) days for submittal of sealed bids, proposals, replies, or responses, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of bids, proposals, replies, or responses. If the Board has previously pre-qualified contractors pursuant to Rule 3.4 and determined that only the contractors that have been pre-qualified will be permitted to submit bids, proposals, replies, and responses, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation need not be published. Instead, the Notice of Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be sent to the pre-qualified contractors by United States Mail, hand delivery, facsimile, or overnight delivery service.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.

- (d) If the District has pre-qualified providers of construction services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses to Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations.
- (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;
 - (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the bidder is a corporation; and
 - (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects such as safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response, if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting, and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals,

Invitation to Negotiate, or Competitive Solicitation and these Rules. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.

- (g) The lowest Responsive Bid submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No contractor shall be entitled to recover any costs of bid, proposal, response, or reply preparation or submittal from the District.
- (i) The Board may require potential contractors to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses, shall be provided in writing to all contractors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of construction services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

- (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase construction services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of construction services, which steps may include a direct purchase of the construction services without further competitive selection processes.
- (3) Sole Source; Government. Construction services that are only available from a single source are exempt from this Rule. Construction services provided by governmental agencies are exempt from this Rule. This Rule shall not apply to the purchase of construction services, which may include goods, supplies, or materials, that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules. A contract for construction services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
- (4) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
- (5) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board Meeting.
- (6) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;
 - (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
 - (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.07, 189.4221, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.6 Construction Contracts, Design-Build.

- (1) Scope. The District may utilize Design-Build Contracts for any public construction project for which the Board determines that use of such contract is in the best interest of the District. When letting a Design-Build Contract, the District shall use the following procedure:
- (2) Procedure.
 - (a) The District shall utilize a Design Criteria Professional meeting the requirements of Section 287.055(2)(k) of the Florida Statutes, when developing a Design Criteria Package, evaluating the proposals and qualifications submitted by Design-Build Firms, and determining compliance of the project construction with the Design Criteria Package. The Design Criteria Professional may be an employee of the District, may be the District Engineer selected by the District pursuant to Section 287.055 of the Florida Statutes, or may be retained pursuant to Rule 3.1. The Design Criteria Professional is not eligible to render services under a Design-Build Contract executed pursuant to the Design Criteria Package.
 - (b) A Design Criteria Package for the construction project shall be prepared and sealed by the Design Criteria Professional. If the project utilizes existing plans, the Design Criteria Professional shall create a Design Criteria Package by supplementing the plans with project specific requirements, if any.
 - (c) The Board may either choose to award the Design-Build Contract pursuant to the competitive proposal selection process set forth in Section 287.055(9) of the Florida Statutes, or pursuant to the qualifications based selection process pursuant to Rule 3.1.
 - (i) Qualifications-Based Selection. If the process set forth in Rule 3.1 is utilized, subsequent to competitive negotiations, a guaranteed maximum price and guaranteed completion date shall be established.
 - (ii) Competitive Proposal-Based Selection. If the competitive proposal selection process is utilized, the Board, in consultation with the Design Criteria Professional, shall establish the criteria, standards and procedures for the evaluation of Design-Build Proposals based on price, technical, and design aspects of the project, weighted for the project. After a Design Criteria Package and the standards and procedures for evaluation of proposals have been developed, competitive proposals from qualified firms shall be solicited pursuant to the design criteria by the following procedure:

1. A Request for Proposals shall be advertised at least once in a newspaper of general circulation in the county in which the District is located. The notice shall allow at least twenty-one (21) days for submittal of sealed proposals, unless the Board, for good cause, determines a shorter period of time is appropriate. Any project projected to cost more than five hundred thousand dollars (\$500,000) must be noticed at least thirty (30) days prior to the date for submittal of proposals.
2. The District may maintain lists of persons interested in receiving notices of Requests for Proposals. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
3. In order to be eligible to submit a proposal, a firm must, at the time of receipt of the proposals:
 - a. Hold the required applicable state professional licenses in good standing, as defined by Section 287.055(2)(h) of the Florida Statutes;
 - b. Hold all required applicable federal licenses in good standing, if any;
 - c. Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the proposer is a corporation;
 - d. Meet any special pre-qualification requirements set forth in the Request for Proposals and Design Criteria Package.

Any contractor that has been found guilty by a court of any violation of federal labor or employment tax laws regarding subjects such as safety, tax withholding, worker's compensation, unemployment tax, social security and Medicare tax, wage or hour, or prevailing rate laws within the past 5 years may be considered ineligible by the District to submit a bid, response, or proposal for a District project.

Evidence of compliance with these Rules must be submitted with the proposal if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the proposal.

4. The proposals, or the portions of which that include the price, shall be publicly opened at a meeting noticed in accordance with Rule 1.3, and at which at least one district representative is present. The name of each bidder and the price submitted in the bid shall be announced at such meeting, and shall be made available upon request. Minutes should be taken at the meeting and maintained by the District. In consultation with the Design Criteria Professional, the Board shall evaluate the proposals received based on evaluation criteria and procedures established prior to the solicitation of proposals, including but not limited to qualifications, availability, and past work of the firms and the partners and members thereof. The Board shall then select no fewer than three (3) Design-Build Firms as the most qualified.
5. The Board shall have the right to reject all proposals if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of proposal preparation or submittal from the District.
6. If less than three (3) proposals are received, the District may purchase design-build services or may reject the proposals for lack of competitiveness. If no proposals are received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of design-build services, which steps may include a direct purchase of the design-build services without further competitive selection processes.
7. Notice of the rankings adopted by the Board, including the rejection of some or all proposals, shall be provided in writing to all consultants by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's rankings under this Rule shall be in accordance with the procedures set forth in Rule 3.11.

8. The Board shall negotiate a contract with the firm ranking the highest based on the evaluation standards and shall establish a price which the Board determines is fair, competitive and reasonable. Should the Board be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price considered by the Board to be fair, competitive, and reasonable, negotiations with that firm must be terminated. The Board shall then undertake negotiations with the second most qualified firm, based on the ranking by the evaluation standards. Failing accord with the second most qualified firm, the Board must terminate negotiations. The Board shall then undertake negotiations with the third most qualified firm. Should the Board be unable to negotiate a satisfactory contract with any of the selected firms, the Board shall select additional firms in order of their rankings based on the evaluation standards and continue negotiations until an agreement is reached or the list of firms is exhausted.
 9. After the Board contracts with a firm, the firm shall bring to the Board for approval, detailed working drawings of the project.
 10. The Design Criteria Professional shall evaluate the compliance of the detailed working drawings and project construction with the Design Criteria Package, and shall provide the Board with a report of the same.
- (3) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
 - (4) Emergency Purchase. The Board may, in case of public emergency, declare an emergency and immediately proceed with negotiations with the best qualified Design-Build Firm available at the time. The fact that an Emergency Purchase has occurred shall be noted in the minutes of the next Board meeting.
 - (5) Exceptions. This Rule is inapplicable when:
 - (a) The project is undertaken as repair or maintenance of an existing public facility;
 - (b) The funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent;

- (c) The District has competitively awarded a project and the contractor has abandoned the project or the District has terminated the contractor; or
- (d) The District, after public notice, conducts a public meeting under Section 286.011 of the Florida Statutes, and finds by a majority vote of the Board that it is in the public's best interest to perform the project using its own services, employees, and equipment.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.07, 189.4221, 190.033, 255.0518, 255.0525, 255.20, 287.055, Fla. Stat.

Rule 3.7 Payment and Performance Bonds.

- (1) Scope. This Rule shall apply to contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work, and shall be construed in addition to terms prescribed by any other Rule that may also apply to such contracts.
- (2) Required Bond. Upon entering into a contract for any of the services described in section (1) of this Rule in excess of \$200,000, the Board should require that the contractor, before commencing the work, execute and record a payment and performance bond in an amount equal to the contract price. Notwithstanding the terms of the contract or any other law, the District may not make payment to the contractor until the contractor has provided to the District a certified copy of the recorded bond.
- (3) Discretionary Bond. At the discretion of the Board, upon entering into a contract for any of the services described in section (1) of this Rule for an amount not exceeding \$200,000, the contractor may be exempted from executing a payment and performance bond.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: § 255.05, Fla. Stat.

Rule 3.8 Goods, Supplies, and Materials.

- (1) Purpose and Scope. All purchases of goods, supplies, or materials exceeding the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR, shall be purchased under the terms of this Rule. Contracts for purchases of “goods, supplies, and materials” do not include printing, insurance, advertising, or legal notices. A contract involving goods, supplies, or materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of goods, supplies, or materials is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, or Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of goods, supplies, and materials, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, or responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;

- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

Any firm or individual whose principal place of business is outside the State of Florida must also submit a written opinion of an attorney at law licensed to practice law in that foreign state, as to the preferences, if any or none, granted by the law of that foreign state to business entities whose principal places of business are in that foreign state, in the letting of any or all public contracts. Failure to submit such a written opinion or submission of a false or misleading written opinion may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and this Rule. Minor variations in the bids, proposals, replies, or responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid, after taking into account the preferences provided for in this subsection, submitted by a Responsive and Responsible Bidder in response to an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be accepted. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which does not grant a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the

lowest Responsible and Responsive Bidder whose principal place of business is in the State of Florida shall be awarded a preference of five (5) percent. If the lowest Responsive Bid is submitted by a Responsive and Responsible Bidder whose principal place of business is located in a foreign state which grants a preference in competitive purchase to businesses whose principal place of business are in that foreign state, the lowest Responsible and Responsive Bidder whose principal place of business is in the State of Florida shall be awarded a preference equal to the preference granted by such foreign state.

To assure full understanding of the responsiveness to the solicitation requirements contained in an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, and responses.

- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No vendor shall be entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.
- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
- (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's purchase of goods, supplies, and materials under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
- (k) If less than three (3) bids, proposals, replies, or responses are received, the District may purchase goods, supplies, or materials, or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of goods, supplies, and materials, which steps may include a

direct purchase of the goods, supplies, and materials without further competitive selection processes.

- (3) Goods, Supplies, and Materials included in a Construction Contract Awarded Pursuant to Rule 3.5 or 3.6. There may be occasions where the District has undergone the competitive purchase of construction services which contract may include the provision of goods, supplies, or materials. In that instance, the District may approve a change order to the contract and directly purchase the goods, supplies, and materials. Such purchase of goods, supplies, and materials deducted from a competitively purchased construction contract shall be exempt from this Rule.
- (4) Exemption. Goods, supplies, and materials that are only available from a single source are exempt from this Rule. Goods, supplies, and materials provided by governmental agencies are exempt from this Rule. A contract for goods, supplies, or materials is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process. This Rule shall not apply to the purchase of goods, supplies or materials that are purchased under a federal, state, or local government contract that has been competitively procured by such federal, state, or local government in a manner consistent with the material procurement requirements of these Rules.
- (5) Renewal. Contracts for the purchase of goods, supplies, and/or materials subject to this Rule may be renewed for a period that may not exceed three (3) years or the term of the original contract, whichever period is longer.
- (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 189.4221, 190.033, 287.017, 287.084, Fla. Stat.

Rule 3.9 Maintenance Services.

- (1) Scope. All contracts for maintenance of any District facility or project shall be set under the terms of this Rule if the cost exceeds the amount provided in Section 287.017 of the Florida Statutes, for CATEGORY FOUR. A contract involving goods, supplies, and materials plus maintenance services may, in the discretion of the Board, be treated as a contract for maintenance services. However, a purchase shall not be divided solely in order to avoid the threshold bidding requirements.
- (2) Procedure. When a purchase of maintenance services is within the scope of this Rule, the following procedures shall apply:
 - (a) The Board shall cause to be prepared an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.
 - (b) Notice of the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation shall be advertised at least once in a newspaper of general circulation within the District and within the county in which the District is located. The notice shall also include the amount of the bid bond, if one is required. The notice shall allow at least seven (7) days for submittal of bids, proposals, replies, or responses.
 - (c) The District may maintain lists of persons interested in receiving notices of Invitations to Bid, Requests for Proposals, Invitations to Negotiate, and Competitive Solicitations. The District shall make a good faith effort to provide written notice, by electronic mail, United States Mail, hand delivery, or facsimile, to persons who provide their name and address to the District Manager for inclusion on the list. However, failure of a person to receive the notice shall not invalidate any contract awarded in accordance with this Rule and shall not be a basis for a protest of any contract award.
 - (d) If the District has pre-qualified suppliers of maintenance services, then, at the option of the District, only those persons who have been pre-qualified will be eligible to submit bids, proposals, replies, and responses.
 - (e) In order to be eligible to submit a bid, proposal, reply, or response, a firm or individual must, at the time of receipt of the bids, proposals, replies, or responses:
 - (i) Hold the required applicable state professional licenses in good standing;
 - (ii) Hold all required applicable federal licenses in good standing, if any;

- (iii) Hold a current and active Florida corporate charter or be authorized to do business in the State of Florida in accordance with Chapter 607 of the Florida Statutes, if the vendor is a corporation; and
- (iv) Meet any special pre-qualification requirements set forth in the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation.

Evidence of compliance with these Rules must be submitted with the bid, proposal, reply, or response if required by the District. Failure to submit evidence of compliance when required may be grounds for rejection of the bid, proposal, reply, or response.

- (f) Bids, proposals, replies, and responses shall be publicly opened at the time and place noted on the Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation. Bids, proposals, replies, and responses shall be evaluated in accordance with the respective Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, and these Rules. Minor variations in the bids, proposals, replies, and responses may be waived by the Board. A variation is minor if waiver of the variation does not create a competitive advantage or disadvantage of a material nature. Mistakes in arithmetic extension of pricing may be corrected by the Board. Bids and proposals may not be modified or supplemented after opening; provided however, additional information may be requested and/or provided to evidence compliance, make non-material modifications, clarifications, or supplementations, and as otherwise permitted by Florida law.
- (g) The lowest Responsive Bid submitted in response to an Invitation to Bid by a Responsive and Responsible Bidder shall be accepted. In relation to a Request for Proposals, Invitation to Negotiate or Competitive Solicitation the Board shall select the Responsive Proposal, Reply, or Response submitted by a Responsive and Responsible Vendor which is most advantageous to the District. To assure full understanding of the responsiveness to the solicitation requirements contained in a Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, discussions may be conducted with qualified vendors. Vendors shall be accorded fair treatment prior to the submittal date with respect to any opportunity for discussion, preparation, and revision of bids, proposals, replies, or responses.
- (h) The Board shall have the right to reject all bids, proposals, replies, or responses because they exceed the amount of funds budgeted for the purchase, if there are not enough to be competitive, or if rejection is determined to be in the best interest of the District. No Vendor shall be

entitled to recover any costs of bid, proposal, reply, or response preparation or submittal from the District.

- (i) The Board may require bidders and proposers to furnish bid bonds, performance bonds, and/or other bonds with a responsible surety to be approved by the Board.
 - (j) Notice of intent to award, including rejection of some or all bids, proposals, replies, or responses shall be provided in writing to all vendors by United States Mail, hand delivery, facsimile, or overnight delivery service. The notice shall include the following statement: "Failure to file a protest within the time prescribed in Rule 3.11 of the Rules of the District shall constitute a waiver of proceedings under those Rules," or wording to that effect. Protests of the District's procurement of maintenance services under this Rule shall be in accordance with the procedures set forth in Rule 3.11.
 - (k) If less than three (3) Responsive Bids, Proposals, Replies, or Responses are received, the District may purchase the maintenance services or may reject the bids, proposals, replies, or responses for a lack of competitiveness. If no Responsive Bid, Proposal, Reply, or Response is received, the District may take whatever steps reasonably necessary in order to proceed with the procurement of maintenance services, which steps may include a direct purchase of the maintenance services without further competitive selection processes.
- (3) Exemptions. Maintenance services that are only available from a single source are exempt from this Rule. Maintenance services provided by governmental agencies are exempt from this Rule. A contract for maintenance services is exempt from this Rule if state or federal law prescribes with whom the District must contract or if the rate of payment is established during the appropriation process.
 - (4) Renewal. Contracts for the purchase of maintenance services subject to this Rule may be renewed for a period that may not exceed three (3) years or the term of the original contract, whichever period is longer.
 - (5) Contracts; Public Records. In accordance with Florida law, each contract entered into pursuant to this Rule shall include provisions required by law that require the contractor to comply with public records laws.
 - (6) Emergency Purchases. The District may make an Emergency Purchase without complying with these rules. The fact that an Emergency Purchase has occurred or is necessary shall be noted in the minutes of the next Board meeting.

Specific Authority: §§ 190.011(5), 190.011(15), 190.033, Fla. Stat.

Law Implemented: §§ 119.07, 190.033, 287.017, Fla. Stat.

Rule 3.10 Contractual Services.

- (1) Exemption from Competitive Purchase. Pursuant to Section 190.033(3) of the Florida Statutes, Contractual Services shall not be subject to competitive purchasing requirements. If an agreement is predominantly for Contractual Services, but also includes maintenance services or the purchase of goods and services, the contract shall not be subject to competitive purchasing requirements. Regardless of whether an advertisement or solicitation for Contractual Services is identified as an Invitation to Bid, Request for Proposals, Invitation to Negotiate, or Competitive Solicitation, no rights or remedies under these Rules, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Contractual Services to the District.
- (2) Contracts; Public Records. In accordance with Florida law, each contract for Contractual Services shall include provisions required by law that require the contractor to comply with public records laws.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 119.07, 190.011(3), 190.033, Fla. Stat.

Rule 3.11 Protests With Respect To Proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9.

The resolution of any protests with respect to proceedings under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, and 3.9 shall be in accordance with this Rule.

(1) Filing.

- (a) With respect to a protest regarding qualifications, specifications, documentation, or other requirements contained in a Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation issued by the District, the notice of protest shall be filed in writing within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after the first advertisement of the Request for Qualifications, Request for Proposals, Invitation to Bid, or Competitive Solicitation. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's intended decision. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.
- (b) Except for those situations covered by subsection (1)(a) of this Rule, any firm or person who is affected adversely by a District's ranking or intended award under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9 and desires to contest the District's ranking or intended award, shall file with the District a written notice of protest within seventy-two (72) calendar hours (excluding Saturdays, Sundays, and state holidays) after receipt of the notice of the District's ranking or intended award. A formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days (including Saturdays, Sundays, and state holidays) after the initial notice of protest was filed. For purposes of this Rule, wherever applicable, filing will be perfected and deemed to have occurred upon receipt by the District. Failure to file a notice of protest shall constitute a waiver of all rights to protest the District's ranking or intended award. Failure to file a formal written protest shall constitute an abandonment of the protest proceedings and shall automatically terminate the protest proceedings.
- (c) If disclosed in the District's competitive solicitation documents for a particular purchase under Rules 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.8, or 3.9, the Board may require any person who files a notice of protest to post a protest bond in the amount equal to 1% of the anticipated contract amount

that is the subject of the protest. In the event the protest is successful, the protest bond shall be refunded to the protestor. In the event the protest is unsuccessful, the protest bond shall be applied towards the District's costs, expenses, and attorney's fees associated with hearing and defending the protest. In the event the protest is settled by mutual agreement of the parties, the protest bond shall be distributed as agreed to by the District and protestor.

- (d) The District does not accept documents filed by electronic mail or facsimile transmission. Filings are only accepted during normal business hours.
- (2) Contract Execution. Upon receipt of a notice of protest which has been timely filed, the District shall not execute the contract under protest until the subject of the protest is resolved. However, if the District sets forth in writing particular facts and circumstances showing that delay incident to protest proceedings will jeopardize the funding for the project, will materially increase the cost of the project, or will create an immediate and serious danger to the public health, safety, or welfare, the contract may be executed.
- (3) Informal Proceeding. If the Board determines a protest does not involve a disputed issue of material fact, the Board may, but is not obligated to, schedule an informal proceeding to consider the protest. Such informal proceeding shall be at a time and place determined by the Board. Notice of such proceeding shall be sent via facsimile, United States Mail, or hand delivery to the protestor and any substantially affected persons or parties not less than three (3) calendar days prior to such informal proceeding. Within thirty (30) calendar days following the informal proceeding, the Board shall issue a written decision setting forth the factual, legal, and policy grounds for its decision.
- (4) Formal Proceeding. If the Board determines a protest involves disputed issues of material fact or if the Board elects not to use the informal proceeding process provided for in section (3) of this Rule, the District shall schedule a formal hearing to resolve the protest. The Chairperson shall designate any member of the Board (including the Chairperson), District Manager, District Counsel, or other person as a hearing officer to conduct the hearing. The hearing officer may:
 - (a) Administer oaths and affirmations;
 - (b) Rule upon offers of proof and receive relevant evidence;
 - (c) Regulate the course of the hearing, including any pre-hearing matters;
 - (d) Enter orders; and
 - (e) Make or receive offers of settlement, stipulation, and adjustment.

The hearing officer shall, within thirty (30) days after the hearing or receipt of the hearing transcript, whichever is later, file a recommended order which shall include a caption, time and place of hearing, appearances entered at the hearing, statement of the issues, findings of fact and conclusions of law, separately stated, and a recommendation for final District action. The District shall allow each party fifteen (15) days in which to submit written exceptions to the recommended order. The District shall issue a final order within sixty (60) days after the filing of the recommended order.

- (5) Intervenors. Other substantially affected persons may join the proceedings as intervenors on appropriate terms which shall not unduly delay the proceedings.
- (6) Rejection of all Qualifications, Bids, Proposals, Replies and Responses after Receipt of Notice of Protest. If the Board determines there was a violation of law, defect or an irregularity in the competitive solicitation process, or if the Board determines it is otherwise in the District's best interest, the Board may reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew. If the Board decides to reject all qualifications, bids, proposals, replies, and responses and start the competitive solicitation process anew, any pending protests shall automatically terminate.
- (7) Settlement. Nothing herein shall preclude the settlement of any protest under this Rule at any time.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.
Law Implemented: § 190.033, Fla. Stat.

Rule 4.0 Effective Date.

These Rules shall be effective _____, 2013, except that no election of officers required by these Rules shall be required until after the next regular election for the Board.

Specific Authority: §§ 190.011(5), 190.011(15), Fla. Stat.

Law Implemented: §§ 190.011(5), 190.011(15), Fla. Stat.

Tab 5

RESOLUTION 2014-02

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE CATALINA COMMUNITY DEVELOPMENT
DISTRICT ADOPTING RULES OF PROCEDURE;
PROVIDING A SEVERABILITY CLAUSE; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Catalina Community Development District (“District”) is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated in the Lee County, Florida; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Rules of Procedure attached hereto as **Exhibit A** for immediate use and application, and to replace those Rules of Procedure previously adopted by the District; and

WHEREAS, the Board of Supervisors has complied with applicable Florida law concerning rule development and adoption.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS OF THE CATALINA COMMUNITY
DEVELOPMENT DISTRICT:**

SECTION 1. The attached Rules of Procedure are hereby adopted pursuant to this resolution as necessary for the conduct of District business. These Rules of Procedure shall stay in full force and effect until such time as the Board of Supervisors may amend these rules in accordance with Chapter 190, *Florida Statutes*.

SECTION 2. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 19th day of February, 2014.

ATTEST:

**CATALINA COMMUNITY
DEVELOPMENT DISTRICT**

Print Name: Molly A. Syvret
Assistant Secretary

Chairperson

Exhibit A: Rules of Procedure